Digitized by the Internet Archive
in 2026 with funding from
Ontario Council of University Libraries

https://archive.org/details/kingstoncouncilmin7879_5

QUEEN'S UNIVERSITY
DOCUMENTS LIBRARY
NOV 11 1982

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
OCT 11 1979

CITY COUNCIL MEETING NO. 38

The regular meeting of City Council will be held on Monday, October 1, 1979 in the Council Chamber, City Hall, at 8:00 p.m.

ROLL CALL

MINUTES

That the Minutes of Meeting No. 36 held on September 17, 1979 be amended to correct an error in Clause 3, Report No. 94, Part C by changing the figures $462.93 to $357.93. and as amended, be confirmed.

COMMUNICATIONS

To be Referred to City of Kingston Planning Board

(580) From Mr. L.H. Tepper, Barrister, regarding zoning - Cochrane and Norman Properties at 72 Bay Street and 424 Bagot Street, Kingston.

(Note: Copies of the above letter were distributed to all members of Council with the Agenda).

File No. 25-2

To be Filed

(581) From Mrs. Janet Daniels who is in strong support of the nursery schools and day care centres in Kingston as she feels that they help children prepare for regular school.

File No. 4-1.2

To be Referred to City of Kingston Planning Board

(582) From Topnotch Feeds Limited, Seaforth, Ontario advising that they are prepared to withdraw their objections as set out in their letter of August 27, 1979 with regard to Zoning By-Law No. 79-138.

File No. 582

To be Filed

(583) Statement of Revenue and Expenditures for the month of July, 1979 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget Estimates	1979 to date	Month of July 1979	1978 to date
Operating Deficit:	$ 793,443	$ 491,007	98,381	377,117
Debentures:	27,645	16,126	2,304	16,153
	$ 821,088	$ 507,133	$100,685	$393,270

CA4
ON
K1G A05
M31

File No. 17-11.2

COMMUNICATIONS (Cont'd)

(584) Copy of a letter to Mr. R.F. Morrison, General Manager, Howard Johnson's Confederation Place Hotel, 237 Ontario Street, Kingston, from the Liquor Licence Board of Ontario advising of the Board's favourable decision with regard to Mr. Morrison's application for a patio licence in the following areas of the Hotel, subject to the Fire Marshal's letter of September 4, 1979.

1. Patio (Dining Lounge) #1 Main Floor - 98 persons - eligible
2. Patio (Dining Lounge) #2 Second Floor - 158 persons - eligible

File No. 12-6

To be Referred to Chief Administrative Officer

(585) Copy of a letter to the Honourable Harry C. Parrot, Minister of Environment, from Mrs. Dorothy Leeman, 200 Patrick Street, Kingston, expressing her concerns about the problem of air pollution in Kingston caused by the smoke houses that are owned by private citizens. These houses emit smoke and soot that are damaging to peoples' health as well as to their property. Also, the remains of the slaughtered animals are buried in the gardens of the owners of the smoke houses causing offensive odors.

File No. 20-5.1

To be Filed

(586) From the Ministry of Housing informing the City of Kingston that Amendment No. 9 to the Official Plan for the Pittsburgh Planning Area was approved by the O.M.B. on May 5, 1979, pursuant to Section 15 (1) of the Planning Act.

File No. 16-1.2-2

Has Been Referred to the Commissioner of Works

(587) From the Ministry of the Environment requesting that the City provide a list of projects which are to be under construction in 1979 and 1980, together with their gross capital cost, the start date and duration of construction etc. in order that they may predict for budget purposes what Ontario's CSCP (Community Services Contribution Program) requirements are going to be. (Treatment, Truck Sewers, Watermains, Pumping Stations etc., formerly the CMHC Municipal Infrastructure Program.)

The Ministry has also advised that applications for the Up-Front Grant Program for works to be considered in their fiscal year 1980/81 are to be submitted to the Project Co-ordination Branch by October 1, 1979.

File No. 17-11.3 & 20-3.7

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 98 of the Downtown Core Committee be received and adopted.

That Report No. 99 of the City of Kingston Planning Board be received and adopted.

That Report No. 100 of the Chief Administrative Officer be considered.

REPORT NO. 98

September 25, 1979

To the Mayor and Aldermen:

The Downtown Core Committee reports and recommends as follows:

(Note: The following clause should be considered in conjunction with Clause 6, Report No. 99, City of Kingston Planning Board)

1. WHEREAS Development Proposals have been requested by the City of Kingston with respect to lands situate within an area of the Downtown which is designated as a Redevelopment Area under Section 22 of The Planning Act; and

WHEREAS the deadline for receipt of proposals was set by Council as October 15th, 1979; and

WHEREAS a request has been received from solicitors acting for Minto Construction Limited, for extension of such deadline and for further information with respect to the evaluation of proposals;

THEREFORE BE IT RESOLVED as follows:

a) That the closing date for receipt of proposals of October 15th, 1979, be reaffirmed;

b) That the following procedure be adopted with respect to proposals which are received:

   i) that each developer who submits a proposal shall be invited to make a presentation to a special meeting of Council, Planning Board and the Downtown Core Committee, to which technical staff will be invited;

   ii) that each proposal, after presentation, be referred to technical staff for a report back to Council, through the Downtown Core Committee;

   iii) that the procedure to be followed after selection will depend on negotiations between the City and the successful developer, and on other factors, such as funding under the Downtown Revitalization Program;

   iv) that it be recognized that the submissions received will be judged on their own merits and the criteria already established by Council in the Proposal Call.

Respectfully submitted,

CHAIRMAN

REPORT NO. 99

September 26, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an application by Mr. J.B. Sampson to the Ministry of Housing for approval of a plan of condominium for a proposed 140 unit apartment building at the north west corner of Bath Road and Sir John A. Macdonald Boulevard has been referred to the City of Kingston for comment; and

WHEREAS the application is based on a proposed building which would require substantial changes in the zoning regulations for this property; and

WHEREAS the nature of the proposal and the rather large unit sizes suggests that the population density may exceed that permitted in the Official Plan; and

WHEREAS the applicant has not requested amendments to the City's Official Plan or Zoning By-Law;

THEREFORE BE IT RESOLVED that it be recommended to the Ministry of Housing that Application No. 10 CDM 79-003 (Plan of Condominium) by Mr. J.B. Sampson be refused.

(Ald. Knapp, Mr. Meyer opposed)

2. WHEREAS an application by Mr. J.L. Smith to the Cataraqui Region Conservation Authority to place fill in an area south of the CNR and west of Princess Street has been referred to the City of Kingston for comments; and

WHEREAS a portion of the subject area is designated Hazard Lands on Schedule Al (Land Use and Major Streets) to the City's Official Plan; and

WHEREAS Section 2(16) of the Plan defines Hazard Lands as "lands having inherent environmental hazards, such as poor drainage, organic soils, flood susceptibility, erosion, steep slopes or any other physical condition which leads to the deterioration or degradation of the environment" and provides for the following permitted uses:

> "Lands so designated are intended primarily for preservation and conservation of the natural land and/or environment. Such uses as agriculture, outdoor recreation, nursery gardening, shall be permitted. In addition, public or private parks or other outdoor recreation functions such as golf courses, shall also be permitted. The permitted uses, other then preservation and conservation, shall only be allowed where they do not aggravate the hazard " ; and

WHEREAS the plan also provides for the possible conversion of Hazard Lands to other uses through the following policy (Section 1(110);

2. (Cont'd)

"Where land designated Hazard Lands is under private ownership, this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or will be purchased by the municipality or other public agency. An application for the redesignation of Hazard Lands for other purposes may be given due consideration by the municipality after taking into account:

A. the existing environmental and/or physical hazards;

B. the potential impacts of these hazards; and

C. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome."; and

WHEREAS these Hazard Land policies in the City's Official Plan were initially recommended for adoption by the Provincial Government as a means of instituting an effective form of flood plain management involving the close co-operation of the City of Kingston and the Cataraqui Region Conservation Authority as the two principal public bodies with the Authority to exercise control over land use in this sensitive area; and

WHEREAS Cataraqui Region Conservation Authority's initial formal commitment to this co-ordinating process occurred on October 3, 1973, at which time the Executive Committee adopted a General Policy for granting fill permits in the Little Cataraqui Creek Watershed which, among other matters, stated "That all fill permits will be consistent with the Official Plan"; and

WHEREAS in turn, the Hazard Lands in the City's Official Plan are coincident with the lands below the flood line as defined by the Cataraqui Region Conservation Authority; and

WHEREAS the practical effect of this co-ordinating process insures that the shared objective of instituting comprehensive flood plain management within the Hazard Land area, is not compromised by the unilateral action of either public body involved; and

WHEREAS by requiring prior approval from a Municipality for a proposal to fill and/or develop in a designated Hazard Land area, the public is afforded an opportunity to employ the broader powers of a municipality (through the Planning Act) to effect comprehensive flood plain management techniques which would include such essential components as:

(a) a detailed concept (land use) plan showing how the proposal will be physically integrated with its environs, natural or otherwise (a conventional requirement for all proposals to amend the Official Plan).

(b) a comprehensive environmental impact analysis, extending to pertinent matters beyond flood control (see Section 1(110) of the Official Plan).

2. (Cont'd)

(c) the legislated right of a municipality to control land use (in the Planning Act) and thereby deny or alter the proposal if it doesn't comply with the public interest in such a development.

(d) the opportunity for the public to obtain its principal stated objective of achieving the "preservation and conservation of the natural land and/or environment" (Section 2(16)) by acquiring Hazard Lands in their natural state and at a value which reflects that state; and

WHEREAS if, on the other hand, fill permit applications in the Hazard Land areas in general are, or can be issued without requiring the prior review and approval of the municipality as previously described, then the co-ordinated program to institute comprehensive flood plain management in Hazard Land areas becomes ineffective and all Hazard Lands obtain an implicit land value equal to that of other developable land in the City less the simple cost of overcoming only one environmental concern (by employing compensatory "cut and fill" techniques); and

WHEREAS if the current application is approved and filling takes place then the City's objective of preserving and conserving the natural land and/or environment, in this instance, is no longer achievable and the City will have to redesignate it to another land use category, which under normal circumstances have to presume some form of urban development; and

WHEREAS if the City, on the other hand, acts to purchase the subject land in order to achieve its Official Plan objectives after a fill permit is issued (but before filling takes place) the City will have to pay for the value of the land as enhanced by the presence of the valid fill permit and its implications described above; and

WHEREAS these ramifications of issuing fill permits in Hazard Land areas without the prior approval of the affected municipality are extremely serious and not in the public's interest;

THEREFORE Be It Resolved that Council recommend to the Cataraqui Region Conservation Authority that the subject application by Mr. J.L. Smith be refused.

3. That, as recommended by the Local Architectural Conservation Advisory Committee, the following plans for proposed entrance improvements to 27 Princess Street (S & R), being a building designated under The Ontario Heritage Act:

Sketch - Renovations to Princess Street Entrance of S & R Store - Dated September, 1979

Dwg. A2 Plan Section AA and Door Detail - dated May 1, 1979

Dwg. A4 Elevations and Electrical Plan - dated June, 1979

be approved.

4. That, as recommended by the Local Architectural Conservation Advisory Committee, proposed changes to 243 King Street East (Empire Life Insurance Company), a designated building under The Ontario Heritage Act, be approved as outlined in a letter from MacLennan Associates, Architects, dated August 30, 1979, a copy of which is attached hereto as Schedule 'A' (3 pages).

5. WHEREAS on January 30, 1978, Council, upon the recommendation of the Local Architectural Conservation Advisory Committee and the Planning Board, agreed to the designation of 9 Kennedy Street as a building of historical and architectural value pursuant to Section 29 of The Ontario Heritage Act, 1974, subject to an Easement Agreement, in order that the owner could receive an Ontario Heritage Foundation grant for the exterior restoration; and

WHEREAS the owners have requested removal of a clause in the Easement Agreement relating to interior improvements, which clause was not required by either the Local Architectural Conservation Advisory Committee or the Ontario Government, and does not affect the reasons for designation;

THEREFORE BE IT RESOLVED THAT the Easement Agreement with respect to 9 Kennedy Street be amended to remove Clause 1.10(b) and that Council enact a by-law authorizing the entering into of the Heritage Easement Agreement pursuant to Section 37 of The Ontario Heritage Act, 1974, as amended.
(See By-Law : No. 79-226)

(Note: The following clause should be considered in conjunction with Clause 1, Report No. 98, Downtown Core Committee)

6. WHEREAS Development Proposals have been requested by the City of Kingston with respect to lands situate within the area of the Downtown which is designated as a Redevelopment Area under Section 22 of The Planning Act; and

WHEREAS the deadline for receipt of proposals was set by Council as October 15th, 1979; and

WHEREAS a written request has been received from Minto Construction Limited, for extension of such deadline and for further information with respect to the evaluation of proposals;

THEREFORE BE IT RESOLVED that:

a) the closing date for receipt of proposals for the Redevelopment Area be extended to December 15th, 1979, and that all parties who have expressed interest in the proposal be advised accordingly; and

b) that a decision regarding procedure for evaluation of proposals be deferred until this matter has been discussed further by the Planning Board at its meeting on October 10th, and an appropriate recommendation presented to Council.

(Ald. Timmins, Mr. Meyer opposed)

7. WHEREAS on December 8, 1977, the City entered into a Development Control Agreement with Two Brothers Ltd., with respect to property located on Princess Street; and

WHEREAS it has come to the attention of the City that the building subsequently constructed does not conform to the conditions of such Development Control Agreement; and

WHEREAS the owner has been requested to submit a revised application for Development Control approval with regard to the Princess Street facade;

THEREFORE BE IT RESOLVED that if no application for Development Control approval has been received by October 15th, 1979 and presented to the Planning Board by October 30th, 1979, that the City Solicitor be directed to take appropriate legal action.

Respectfully submitted,

CHAIRMAN

REPORT NO. 100

October 1st 1979.

To the Mayor and Aldermen:

1. WHEREAS at the Meeting of the Finance Committee held on February 7th 1979, approval in principle was given to the negotiated package for the agreement with Tricil Waste Management Ltd. and it was requested that the City Solicitor draft an agreement for approval;

THEREFORE BE IT RESOLVED, that as recommended by the Commissioner of Works, the City Solicitor and the Deputy City Engineer, the Mayor and City Clerk be authorized to execute the amending agreement attached hereto as Schedule "A", 6 Pages.

(Note: A copy of the report of the Commissioner of Works, is attached hereto as Schedule "A", 8 Pages.

The report includes the negotiated package approved by the Finance Committee, Page 8.)

2. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk 2.44 m wide in (1) Ontario Street, from Clarence Street to Johnson Street, and (2) in Johnson Street, north side, from Ontario Street to easterly 4.27 m under the provisions of Section 7 of the Local Improvement Act as follows:

Total Estimated Cost	$7,000.00
Owner's Share	2,753.38
MTC Subsidy	881.00
City's Share	3,365.62
Debenture Amount	6,119.00

And, the following transfer in the 1979 Capital Budget be approved:

	INCREASE	DECREASE
Local Improvement, pavement Ontario - Clarence - Johnson		$6,119.00
Local Improvement Sidewalk, Ontario - Clarence - Johnson	$6,119.00	

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "B", 1 Page.)

(See By-Law No. 79-224)

3. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the pavement (10.67 m) wide in Bagot Street from Johnson Street to Brock Street, under the provisions of Section 7 of the Local Improvement Act, as follows:

Total Estimated Cost	$17,800.00
Owner's Share	588.12
M.T.C. Subsidy	8,165.00
City's share	9,046.88
Debenture Amount	9,635.00

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "C", 1 Page.)

(See By-Law No. 79-225)

4. (a) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $55,384.10 for construction and reconstruction of sidewalks.

Work authorized by by-laws:

9078; 9089; 9096A; 9097, 9114; 9290; 9291; 9332; 9102; & 9292	Interest Rate: 11 1/4% Term: .10 years

(b) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $392,107.02 for construction of asphalt pavements.

Work authorized by by-laws:

8939; 8945; 8970; 9055; 9096B; 9105; 9109; 9110; & 9250 as amended by 9334; 9112, 9100, & 9294 as amended by 9333	Interest Rate: 11 1/4% Term: 10 years

(c) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $61,207.90 for construction of Storm Sewers.

Work authorized by by-laws:

9104 & 9304	Interest Rate: 11 1/4% Term: 15 years

(d) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $6,661.11 for construction of a Watermain on Russell Street.

Work authorized by by-law:

9113	Interest Rate: 11 1/4% Term: 15 years

(e) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $68,000.00 for the purchase of a Snow Blower.

Purchase authorized by by-law:

9321	Interest Rate: 11 1/4% Term: 5 years

(f) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $57,675.12 for reconstruction of sidewalks.

Work authorized by by-law:

9247 at cost of $87,234.00	Interest Rate: 11 1/4% Term: 10 years

4. (cont'd).

(g) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $185,000.00 for Improvements, Alterations and Extensions to the water system of the City of Kingston.

Work authorized by by-law:

9215

Interest Rate: 11 1/4%
Term: 15 years

(h) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $195,000.00 for alterations and equipment for the Youth Centres.

Work authorized by by-law:

9259 as amended by by-law 79-95

Interest Rate: 11 1/4%
Term: 3 years

(i) That a by-law be presented to Council to amend by-law 9357 "A by-law to establish a parking lot on the south side of Queen Street between Bagot Street and Montreal Streets at a total cost of $316,188.00 and to provide for the borrowing upon debentures in the amount of $250,000.00 at the general rate" to amend the interest rate from 9 3/4% for 15 years to 11 1/4% for 15 years.

1 - 5 years 11 1/4%
Term: 15 years

(j) That a by-law be presented to Council to amend by-law 9246 "A by-law to authorize the borrowing of $120,000.00 upon debentures towards the cost of purchasing a new King Deluxe fifty foot Telesquirt Pumper" to amend the interest rate from 9 1/4% to 11 1/4%.

Interest Rate: 11 1/4%
Term: 3 years

(k) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $16,329.43 for construction of a Storm Sewer and outlet ditch in the Parkway.

Work authorized by by-law:

9101

Interest Rate: 11 1/4%
Term: 10 years

(l) That a by-law be presented to Council to authorize for the borrowing upon debentures of the sum of $11,131.32 for the construction of a Watermain on Queen Mary Road.

Work authorized by by-law:

9293

Interest Rate:11 1/4%
Term: 10 years

4. (cont'd).

(m) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $92,504.00 for improvements at the Norman Rogers Airport.

Work authorized by by-law:

79-117

Interest Rate: 11 1/4%
Term: 5 years

(n) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $150,000.00 for improvements, alterations and extensions of the Water System.

Work authorized by by-law:

79-51 $282,000.00

Interest Rate: 11 1/4%
Term: 15 years

(o) That a by-law be presented to Council to consolidate the following sums into one sum and provide for the borrowing thereof:

	TERM IN YEARS	AMOUNT
Sidewalks	10	$55,384.10
Pavements	10	392,107.02
Storm Sewers	15	61,207.90
Watermains	15	6,661.11
Snow Blower	5	68,000.00
Sidewalks	10	57,675.12
Water System	15	185,000.00
Youth Centres	3	195,000.00
Parking Lot	15	250,000.00
Fire Truck	3	120,000.00
Storm Sewer - Parkway	10	16,329.43
Watermain - Queen Mary Road	10	11,131.32
Airport	5	92,504.00
Water System	15	150,000.00
		$1,661,000.00

Summary

1 - 3 year Term	$ 315,000.00
1 - 5 " "	160,504.00
1 - 10 " "	532,626.99
1 - 15 " "	652,869.01
	$1,661,000.00

Interest Rate: 11 1/4%

Debentures to be dated December 15, 1979. Interest calculated annually and payable semi-annually on June 15th 1979 and December 15th 1979.

5. That tenders be called for the sale of $1,661,000.00 debentures and the Mayor, Chief Administrative Officer and the City Treasurer be authorized to award the tender, it being understood that the award will be presented to City Council for ratification.

6. That, pursuant to Section 636(a) of The Municipal Act, R.S.O., 1970, Chapter 284, the applications of persons and firms listed in the attached "D" in the amount of $35,658.03 for cancellation of taxes levied for 1978 and 1979 be approved. (Schedule "D" - 3 Pages).

7. WHEREAS the "O.H.R.P. Loan Approval Committee" and the OHRP (Rental) Loan Approval Committee" is comprised of the following members:

Vice-Chairman of the Finance & Accounts Committee;
NIP Co-ordinator; and
City Treasurer;

AND WHEREAS, under the Council-Committee of the Whole System, there is now no Finance and Accounts Committee:

THAT the composition of the "OHRP Loan Approval Committee" and the "OHRP (Rental) Loan Approval Committee" be revised to be as follows:

The Member of Council appointed as Acting Head of Council,
NIP Co-ordinator and Housing Information Officer, and
City Treasurer and Deputy Chief Administrative Officer.

8. WHEREAS, City Council at the meeting of September 24th 1979, (Clause 1, Report No. 96) approved additional funding for the day nurseries and day care centres;

AND WHEREAS it is necessary to provide the necessary funds for the City's portion;

THEREFORE BE IT RESOLVED that the following budget transfer be approved:

Expenditures Social Services:	Account Number	Increase	Decrease
Harbour Light	3753-A	-	$14,152.00
Nurseries	3791	$6,562.00	-
Private Home	3790	$9,250.00	-
West End	3792	$3,000.00	-
R.H.Hay	3789	$3,898.00	
Finance Contingencies			1,720.00
Revenue:			
Subsidy: Hostels		-	11,322.00
Subsidy: Day Nurseries		$18,160.00	

- and further -

That the following agreements be amended to change the maximum amount payable, subject to the approval of the Ministry of Community and Social Services, as shown:

	Present Maximum	Proposed Maximum
Family Day Care	$ 15,700.	$24,950.
Kingston Day Care (R.H.Hay)	47,200.	51,098.
West End Children's Centre	20,000.	23,000.
St. Matthew's	2,520.	4,640.
Complex Co-op	2,235.	4,277.
Helen Tufts	13,986.	16,386.

(Note: A copy of the report of the Chief Administrative Officer is attached as Schedule "E", 1 Page.)

9. That, as recommended by the Commissioner of Works, the following policy be approved with regard to City contracts:

   1) Include in the tender the minimum reasonable number of working days that it is estimated a contractor with ample resources would require to do the work.

   2) Do all reasonable pre-engineering to eliminate as many problems as possible at the design stage and assist in the time estimate.

   3) Delegate authority to one person for street closures of short duration.

   4) Keep liquidated damage amount to the maximum that is justifiable.

   (Note: A copy of the report of the Commissioner of Works and the Chief Administrative Officer is attached as Schedule "F", 3 Pages.

   Please Note: It is recommended by the Chief Administrative Officer that authority for the closing of a street for one or two days should be given to the Mayor and Council could be made aware of the decision at its next Council Meeting. ")

10. That, as recommended by the Administrator, Traffic, Streets and Parking, no action be taken on the proposal for alternative side parking on Grey Street between Concession Street and First Avenue.

    (Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "G", 2 Pages.)

11. That a by-law be presented to Council to amend By-Law No. 24, "A By-Law for Regulating Traffic in The Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clause 11, Report No. 100) to provide that parking be prohibited on both sides of College Street from 10-11 a.m. and 2-3 p.m., Monday to Friday inclusive, from Franklin Place to the South Limit of 541 College Street.

    (Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "H", 2 Pages.)

12. That permission be granted to H.M.C.S. Cataraqui to hold a "Navel Reunion" church parade on Sunday, October 21st, 1979, beginning at 10:00 a.m. from St. Andrew's Church, Clergy Streets.

    (Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "I", 3 Pages.)

13. That, as recommended by the Administrator of Traffic, Streets and Parking:

a) No action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

b) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

c) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid by resident users through a monthly charge.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached as Schedule "J", 6 Pages.)

14. WHEREAS on August 20th 1979, a letter was received from the Ministry of the Environment notifying that a regulation will be filed effective the end of the year ending the Ministry of the Environment's reponsibility for certifying Derelict Motor Vehicle Sites, enclosing a model by-law and urging municipalities to put into effect an appropriate by-law which in keeping with good planning practices will allow regulation and control of these sites and licensing of such sites;

AND WHEREAS this matter has been studied by the Director of Planning and Urban Renewal and the City Solicitor;

THEREFORE BE IT RESOLVED that the reports of the Director of Planning and Urban Renewal and the City Solicitor be forwarded to the Ministry of the Environment and Council consider the suggestion of the City Solicitor that By-Law No. 2, "A By-Law to Regulate and License Second-Hand Stores, Junk Stores and Salvage Yards in the City of Kingston", Section 7, be slightly amended in accordance with the draft by-law forwarded by the Ministry of the Environment and that this suggestion be forwarded to the Board of Police Commissioners for their consideration.

(Note: A copy of the Report of the Chief Administrative Officer, the Director of Planning and Urban Renewal and the City Solicitor, is attached hereto as Schedule "K", 7 Pages.)

15. That, as recommended by the Chief Administrative Officer, the following budget transfer be approved in order to provide additional funds for the Kingston Public Library Board:

	INCREASE	DECREASE
Kingston Public Library	$10,000.	
Finance Contingencies		$10,000.

(Note: A copy of the report of the Chief Administrative Officer, is attached hereto as Schedule "L", 2 Pages.)

Respectfully submitted,

R. J. Hamilton,
Chief Administrative Officer.

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

(1) Moved by Ald. Hawkins
Seconded by Ald. Knapp

That City Council will hold a meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.

(REFERRED TO CITY COUNCIL MEETING OCTOBER 1ST 1979.)

(2) Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the sympathy of Council be extended to the family of the late Marguerite French.

NOTICE OF MOTION

BYLAWS

(A) That By-Laws 1 to 20 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Laws 19 & 20 their Third Reading.

(C) That By-Laws 19 to 21 be given their Third Reading.

* * *

(1) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $55,384.10 for Construction and Reconstruction of Sidewalks

FIRST & SECOND READINGS — Proposed No. 79-209
Clause 4(a), Report No. 100, 1979

(2) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $392,107.02 for Construction of Asphalt Pavements

FIRST & SECOND READINGS — Proposed No. 79-210
Clause 4(b), Report No. 100, 1979

BYLAWS (Cont'd)

(3) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $61,207.90 for Construction of Storm Sewers

FIRST & SECOND READINGS
Clause 4(c), Report No. 100, 1979
Proposed No. 79-211

(4) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $6,661.11 for Construction of a Watermain on Russell Street

FIRST & SECOND READINGS
Clause 4(d), Report No. 100, 1979
Proposed No. 79-212

(5) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $68,000.00 for the Purchase of a Snow Blower

FIRST & SECOND READINGS
Clause 4(e), Report No. 100, 1979
Proposed No. 79-213

(6) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $57,675.12 for Reconstruction of Sidewalks

FIRST & SECOND READINGS
Clause 4(f), Report No. 100, 1979
Proposed No. 79-214

(7) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $185,000.00 for Improvements, Alterations and Extensions to the Water System of the City of Kingston

FIRST & SECOND READINGS
Clause 4(g), Report No. 100, 1979
Proposed No. 79-215

(8) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $195,000.00 for alterations and equipment for the Youth Centres

FIRST & SECOND READINGS
Clause 4(h), Report No. 100, 1979
Proposed No. 79-216

(9) A By-Law to Amend By-Law 9357, "A By-Law to Establish a Parking Lot on the South Side of Queen Street between Bagot Street and Montreal Streets at a total cost of $316,188.00 and to provide for the Borrowing Upon Debentures in the Amount of $250,000.00 at the General Rate" (Amend Interest Rate from 9 3/4% for 15 years to 11 1/4% for 15 years)

FIRST & SECOND READINGS
Clause 4(i), Report No. 100, 1979
Proposed No. 79-217

BYLAWS (Cont'd)

(10) A By-Law to Amend By-Law No. 9246 "A By-Law to Authorize the Borrowing of $120,000.00 Upon Debentures Towards the Cost of Purchasing a new King Deluxe Fifty Foot Telesquirt Pumper"(Amend Interest Rate from 9 1/4% to 11 1/4%)

FIRST & SECOND READINGS Proposed No. 79-218
Clause 4(j), Report No. 100, 1979

(11) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $16,329.43 for Construction of a Storm Sewer and Outlet Ditch in the Parkway

FIRST & SECOND READINGS Proposed No. 79-219
Clause 4(k), Report No. 100, 1979

(12) A By-Law to Authorize the Borrowing Upon Debentures of the sum of $11,131.32 for the Construction of a Watermain in Queen Mary Road.

FIRST & SECOND READINGS Proposed No. 79-220
Clause 4(l), Report No. 100, 1979

(13) A By-Law to Authorize the Borrowing Upon Debentures of the sum of $92,504.00 for Improvements at the Norman Rogers Airport

FIRST & SECOND READINGS Proposed No. 79-221
Clause 4(m), Report No. 100, 1979

(14) A By-Law to Authorize the Borrowing Upon Debentures of the sum of $150,000.00 for Improvements, Alterations and Extensions of the Water System.

FIRST & SECOND READINGS Proposed No. 79-222
Clause 4(n), Report No. 100, 1979

(15) A By-Law to Consolidate Certain By-Laws and to Provide for the Issue of one Series of Debentures in the Amount of $1,661,000 in Canadian Funds.

FIRST & SECOND READINGS Proposed No. 79-223
Clause 4(o), Report No. 100, 1979

(16) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk 2.44 m wide in (1) Ontario Street from Clarence Street to Johnson Street and in Johnson Street, north side, from Ontario Street, easterly 4.27 m under the Provisions of Section 7 of The Local Improvement Act (Petition)

FIRST AND SECOND READINGS Proposed No. 79-224
Clause 2, Report No. 100, 1979

BYLAWS (Cont'd)

(17) A By-Law to Authorize the Reconstruction of the Pavement 10.67 m wide in Bagot Street from Johnson Street to Brock Street under the Provisions of Section 7 of The Local Improvement Act (Petition)

FIRST AND SECOND READINGS
Clause 3, Report No. 100, 1979 Proposed No. 79-225

(18) A By-Law to Authorize the Execution of an Agreement with Barbara Pusch, Bruce Antliff and the Canadian Imperial Bank of Commerce. (Ontario Heritage Easement - 9 Kennedy Street)

FIRST & SECOND READINGS
Clause 5, Report No. 99, 1979 Proposed No. 79-226

(19) A By-Law to amend By-Law No. 24, "A By-Law Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act (Clause 11, Report No. 100)

THREE READINGS Proposed No. 79-227
Clause 11, Report No. 100, 1979
(Approval of Ministry of Transportation and Communication not required.)

(20) A By-Law to Confirm the Proceedings of Council at its meeting held on October 1st 1979.

THREE READINGS Proposed No. 79-228
City Council Meeting No. 38, 1979

(21) A By-Law to Authorize the Construction of a Storm Sewer in Dorance Street from Victoria Street easterly 77.77 m and Including Non-Abutting, Equally Benefited, Frontage from 77.77 m East of Victoria Street easterly 3.05 m Under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-151
Clause 6(i), Report No. 74, 1979

UNFINISHED BUSINESS

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council adjourn to the LOYALIST ROOM and resolve itself into the Committee of the Whole not open to the public to discuss Land Acquisition, Kingscourt Public School Property.

(B) That Council rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

ADJOURNMENT

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
OCT 29 1979

CITY COUNCIL MEETING NO. 38

The regular meeting of City Council was held on Monday, October 1, 1979 in the Alderman's Lounge, "In Camera" from 7:00 p.m. to 8:15 p.m. and in the Council Chamber, City Hall at 8:20 p.m. Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 7:10 p.m.) Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos. Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Lampropoulos,

WHEREAS, City Council was summoned to hold a regular meeting commencing at 8:00 p.m. instead of 7:00 p.m. on October 1, 1979, pursuant to Clause 16 of Report No. 96, by notice delivered on September 28, 1979;

AND WHEREAS, the representative of Stevenson & Kellogg, Management Consultants, who was scheduled to speak with the members of Council at 7:00 p.m. (but not at a meeting of the Council) is unable to be present;

AND WHEREAS, at the end of the regular meeting of Council for October 1, 1979, a meeting of the Committee of the Whole in session not open to the public is scheduled, which could be held instead at 7:00 p.m.:

THAT, the matter of commencing the October 1, 1979 Council Meeting at 8:00 p.m. be reconsidered.

CARRIED UNANIMOUSLY

(2) Moved by Ald. Gerretsen,
Seconded by Ald. Lampropoulos,

That Council consent to:

A) Commencing the Regular Meeting of City Council on October 1, 1979 at 7:00 p.m. and revising the agenda to consider the following during the time period of 7:00 p.m. to 8:00 p.m.
   i) Land Acquisition - Kingscourt Public School Property;
   ii) Pay Review for Department Heads and Deputies;
   iii) Policing and Prisons' Brief, and

B) To suspend Rule No. 3 of By-Law No. 1, 1979 which provides that at least 24 hours notice of the meeting shall be given.

CARRIED UNANIMOUSLY

(3) Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That Council resolve itself into the Committee of the Whole not open to the public to discuss the following:

i) Land Acquisition - Kingscourt Public School Property;
ii) Pay Review for Department Heads and Deputies;
iii) Policing and Prisons' Brief

CARRIED

05

(4) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

The Chairman reported that the following matters were considered in the Committee of the Whole and the following motions were passed:

i) The letter from Mr. Donald L. King, Vice-President, Stevenson & Kellogg was discussed and it was agreed that arrangements be made to have Mr. King meet with Council as soon as possible.

ii) It was reported that a brief with regard to Policing and Prisons had been prepared by the Police Commission and distributed to all members of Council.

iii) Moved by Ald. Bishop
Seconded by Ald. Hawkins,

That the Chief Administrative Officer be authorized to make an offer to the Frontenac County Board of Education of $243,000 for the purchase of the Kingscourt School Property said offer to expire on July 1, 1980.

(See following Motions of Amendment and Recorded Vote)

iv) Moved by Ald. Gorham,
Seconded by Ald. Clements,

That the Motion of Ald. Bishop and Ald. Hawkins be amended to authorize the Chief Administrative Officer to make an offer to the Frontenac County Board of Education of $211,400 instead of $243,000 for the Kingscourt School Property said offer to expire July 1, 1980.

NOT CONSIDERED
(See following motion of amendment which was approved.)

v) Moved by Ald. Gerretsen,
Seconded by Alderman Lampropoulos,

That the Motion of Ald. Bishop and Ald. Hawkins be amended to authorize the Chief Administrative Officer to make an offer to the Frontenac County Board of Education of $225,000 instead of $243,000 for the Kingscourt School Property, said offer to expire on July 1, 1980.

CARRIED 8:6
(See Recorded Vote)

Ald. Hawkins requested a recorded vote which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Gerretsen, Ald. Hawkins, Ald. Lampropoulos, Ald. McArthur, Ald. Miller, Ald.Tarnowecky (8)

NAYS: Ald. Clark, Ald. Clements, Ald. Gorham, Ald. Knapp, Ald. Timmins, Ald. Webb (6)

(See following original motion, as amended, which was approved)

vi) Moved by Ald. Bishop,
Seconded by Ald. Hawkins,

That the Chief Administrative Officer be authorized to make an offer to the Frontenac County Board of Education of $225,000 for the purchase of the Kingscourt School Property, said offer to expire on July 1, 1980.

CARRIED AS AMENDED 11:3

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(5) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

(6) Moved by Ald. Clements,
Seconded by Ald. Clark,

That Council adjourn to the Council Chamber to continue the regular business of City Council.

CARRIED

MINUTES

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That the Minutes of Meeting No. 36 held on September 17, 1979 be amended to correct an error in Clause 3, Report No. 94, Part C by changing the figures $462.93 to $357.93. and as amended, be confirmed.

CARRIED

PETITIONS

A petition was received from approximately 93 residents of Rideaucrest Home for the Aged in favour of permitting Bennett's Food Store to expand.

REFERRED TO THE CITY OF KINGSTON PLANNING BOARD

COMMUNICATIONS

Council consented to the addition of Communication Nos. 588 to 591.

Referred to City of Kingston Planning Board

(580) From Mr. L.H. Tepper, Barrister, regarding zoning - Cochrane and Norman Properties at 72 Bay Street and 424 Bagot Street, Kingston.

(Note: Copies of the above letter were distributed to all members of Council with the Agenda).

File No. 25-2

Filed

(581) From Mrs. Janet Daniels who is in strong support of the nursery schools and day care centres in Kingston as she feels that they help children prepare for regular school.

File No. 4-1.2

Referred to City of Kingston Planning Board

(582) From Topnotch Feeds Limited, Seaforth, Ontario advising that they are prepared to withdraw their objections as set out in their letter of August 27, 1979 with regard to Zoning By-Law No. 79-138.

File No. 25-2.4-21

COMMUNICATIONS (Cont'd)

Filed

(583) Statement of Revenue and Expenditures for the month of July, 1979 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget Estimates	1979 to date	Month of July 1979	1978 to date
Operating Deficit:	$ 793,443	$ 491,007	98,381	377,117
Debentures:	27,645	16,126	2,304	16,153
	$ 821,088	$ 507,133	$100,685	$393,270

File No. 17-11.2

(584) Copy of a letter to Mr. R.F. Morrison, General Manager, Howard Johnson's Confederation Place Hotel, 237 Ontario Street, Kingston, from the Liquor Licence Board of Ontario advising of the Board's favourable decision with regard to Mr. Morrison's application for a patio licence in the following areas of the Hotel, subject to the Fire Marshal's letter of September 4, 1979.

1. Patio (Dining Lounge) #1 Main Floor - 98 persons - eligibl
2. Patio (Dining Lounge) #2 Second Floor - 158 persons - eligibl

File No. 12-6

Referred to Chief Administrative Officer

(585) Copy of a letter to the Honourable Harry C. Parrot, Minister of Environment, from Mrs. Dorothy Leeman, 200 Patrick Street, Kingston, expressing her concerns about the problem of air pollution in Kingston caused by the smoke houses that are owned by private citizens. These houses emit smoke and soot that are damaging to peoples' health as well as to their property. Also, the remains of the slaughtered animals are buried in the gardens of the owners of the smoke houses causing offensive odors.

File No. 20-5.1

Filed

(586) From the Ministry of Housing informing the City of Kingston that Amendment No. 9 to the Official Plan for the Pittsburgh Planning Area was approved by the O.M.B. on May 5, 1979, pursuant to Section 15 (1) of the Planning Act.

File No. 16-1.2-2

Referred to the Commissioner of Works

(587) From the Ministry of the Environment requesting that the City provide a list of projects which are to be under construction in 1979 and 1980, together with their gross capital cost, the start date and duration of construction etc. in order that they may predict for budget purposes what Ontario's CSCP (Community Services Contribution Program) requirements are going to be. (Treatment, Trunk Sewers, Watermains, Pumping Stations etc., formerly the CMHC Municipal Infrastructure Program.) The Ministry has also advised that applications for the Up-Front Grant Program for works to be considered in their fiscal year 1980/81 are to be submitted to the Project Co-ordination Branch by October 1, 1979.

File No. 17-11.3 & 20-3.7

COMMUNICATIONS (Cont'd)

Filed

(588) From Floyd Holland, Coach for the Bantom All Stars, thanking the City for its generous donation toward the cost of the team's bus for the Provincial Bantom Baseball Championship held in Sarnia on September 15th and 16th, 1979.

File No. 7-3

(589) From Trumpour and Kennedy, Barristers & Solicitors, acting on behalf of John L. Smith, applicant for a fill permit from the Cataraqui Region Conservation Authority affecting approximately 46 acres of land situate on the south-westerly side of Princess Street and the south-easterly side of the C.N.R. requesting that no objection be filed by Council to Mr. Smith's application.

(Note: Copy of the above letter was distributed to all members of Council on October 1, 1979) (See Clause 2, Report No. 99, 1979)

File No. 3-16

(590) From the office of the Fire Marshall enclosing a copy of the proclamation of the Governor General in Council designating the week of October 7th to 13th, 1979 as "Fire Prevention Week".

File No. 6-3

Referred to all Members of Council

(591) From the Ontario Good Roads Association notifying that their 1980 Convention will be held at the Royal York Hotel, Toronto, from Monday, February 24, 1980 to Wednesday, February 27, 1980, inclusive, and that requests for room reservations must be made directly to the Royal York Hotel as soon as possible.

(Note: 1) Copy of letter distributed to each member of Council;

2) Members of Council are requested to notify the Mayor's Office if they wish to attend in order that a council resolution authorizing this attendance may be prepared)

File No. 16-4.1

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That Council rise from the Committee of the Whole and the Chairman Report.

CARRIED

The Chairman reported that the following reports were considered in the Committee of the Whole:

Ald. Clark presented Report No. 98 of the Downtown Core Committee.

Moved by Ald. Webb,
Seconded by Ald. Miller,

That Clause 1, Report No. 98 be tabled until Clause 6, Report No. 99 is considered.

CARRIED
Ald. Gerretsen opposed
Ald. Tarnowecky opposed

Following consideration of Clause 6, Report No. 99, it was:

Moved by Ald. Clark,
Seconded by Ald. Tarnowecky,

That Clause 1, Report No. 98 be lifted from the table and considered.

CARRIED

Moved by Ald. Clark,
Seconded by Ald. Miller,

That Report No. 98 of the Downtown Core Committee be received and adopted.

REPORT NO. 98

September 25, 1979

To the Mayor and Aldermen:

The Downtown Core Committee reports and recommends as follows:

(*Note: The following clause should be considered in conjunction with Clause 6, Report No. 99, City of Kingston Planning Board*)

1. WHEREAS Development Proposals have been requested by the City of Kingston with respect to lands situate within an area of the Downtown which is designated as a Redevelopment Area under Section 22 of The Planning Act; and

WHEREAS the deadline for receipt of proposals was set by Council as October 15th, 1979; and

WHEREAS a request has been received from solicitors acting for Minto Construction Limited, for extension of such deadline and for further information with respect to the evaluation of proposals;

THEREFORE BE IT RESOLVED as follows:

a) That the closing date for receipt of proposals of October 15th, 1979, be reaffirmed;

b) That the following procedure be adopted with respect to proposals which are received:

REPORTS (Cont'd)

Report No. 98 - Downtown Core Committee

1. (Cont'd)

i) that each developer who submits a proposal shall be invited to make a presentation to a special meeting of Council, Planning Board and the Downtown Core Committee, to which technical staff will be invited;

ii) that each proposal, after presentation, be referred to technical staff for a report back to Council, through the Downtown Core Committee;

iii) that the procedure to be followed after selection will depend on negotiations between the City and the successful developer, and on other factors, such as funding under the Downtown Revitalization Program;

iv) that it be recognized that the submissions received will be judged on their own merits and the criteria already established by Council in the Proposal Call.

CARRIED
(See also Clause 6, Report No. 99, City of Kingston Planning Board which was Lost)

Respectfully submitted,

Chairman

* * *

Ald. Timmins presented Report No. 99 of the City of Kingston Planning Board.

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 99 of the City of Kingston Planning Board be received and adopted, clause by clause.

REPORT NO. 99

September 26, 1979

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS an application by Mr. J.B. Sampson to the Ministry of Housing for approval of a plan of condominium for a proposed 140 unit apartment building at the north west corner of Bath Road and Sir John A. Macdonald Boulevard has been referred to the City of Kingston for comment; and

REPORTS (Cont'd)

Report No. 99 - City of Kingston Planning Board

1. (Cont'd)

WHEREAS the application is based on a proposed building which would require substantial changes in the zoning regulations for this property; and

WHEREAS the nature of the proposal and the rather large unit sizes suggests that the population density may exceed that permitted in the Official Plan; and

WHEREAS the applicant has not requested amendments to the City's Official Plan or Zoning By-Law;

THEREFORE BE IT RESOLVED that it be recommended to the Ministry of Housing that Application No. 10 CDM 79-003 (Plan of Condominium) by Mr. J.B. Sampson be refused.

CARRIED 10:4
(Ald. Bishop, Ald. Knapp, Ald. McArthur, Ald. Webb opposed)

Ald. Knapp withdrew at 9:01 and returned at 9:05 p.m.

2. WHEREAS an application by Mr. J.L. Smith to the Cataraqui Region Conservation Authority to place fill in an area south of the CNR and west of Princess Street has been referred to the City of Kingston for comments; and

WHEREAS a portion of the subject area is designated Hazard Lands on Schedule Al (Land Use and Major Streets) to the City's Official Plan; and

WHEREAS Section 2(16) of the Plan defines Hazard Lands as "lands having inherent environmental hazards, such as poor drainage, organic soils, flood susceptibility, erosion, steep slopes or any other physical condition which leads to the deterioration or degradation of the environment" and provides for the following permitted uses:

"Lands so designated are intended primarily for preservation and conservation of the natural land and/or environment. Such uses as agriculture, outdoor recreation, nursery gardening, shall be permitted. In addition, public or private parks or other outdoor recreation functions such as golf courses, shall also be permitted. The permitted uses, other then preservation and conservation, shall only be allowed where they do not aggravate the hazard " ; and

WHEREAS the plan also provides for the possible conversion of Hazard Lands to other uses through the following policy (Section 1(110);

"Where land designated Hazard Lands is under private ownership, this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or will be purchased by the municipality or other public agency. An application for the redesignation of Hazard Lands for other purposes may be given due consideration by the municipality after taking into account:

REPORTS (Cont'd)

Report No. 99 City of Kingston Planning Board

2. (Cont'd)

A. the existing environmental and/or physical hazards;

B. the potential impacts of these hazards; and

C. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome."; and

WHEREAS these Hazard Land policies in the City's Official Plan were initially recommended for adoption by the Provincial Government as a means of instituting an effective form of flood plain management involving the close co-operation of the City of Kingston and the Cataraqui Region Conservation Authority as the two principal public bodies with the Authority to exercise control over land use in this sensitive area; and

WHEREAS Cataraqui Region Conservation Authority's initial formal commitment to this co-ordinating process occurred on October 3, 1973, at which time the Executive Committee adopted a General Policy for granting fill permits in the Little Cataraqui Creek Watershed which, among other matters, stated "That all fill permits will be consistent with the Official Plan"; and

WHEREAS in turn, the Hazard Lands in the City's Official Plan are coincident with the lands below the flood line as defined by the Cataraqui Region Conservation Authority; and

WHEREAS the practical effect of this co-ordinating process insures that the shared objective of instituting comprehensive flood plain management within the Hazard Land area, is not compromised by the unilateral action of either public body involved; and

WHEREAS by requiring prior approval from a Municipality for a proposal to fill and/or develop in a designated Hazard Land area, the public is afforded an opportunity to employ the broader powers of a municipality (through the Planning Act) to effect comprehensive flood plain management techniques which would include such essential components as:

(a) a detailed concept (land use) plan showing how the proposal will be physically integrated with its environs, natural or otherwise (a conventional requirement for all proposals to amend the Official Plan).

(b) a comprehensive environmental impact analysis, extending to pertinent matters beyond flood control (see Section 1(110) of the Official Plan).

REPORTS (Cont'd)

Report No. 99 - City of Kingston Planning Board

2. (Cont'd)

(c) the legislated right of a municipality to control land use (in the Planning Act) and thereby deny or alter the proposal if it doesn't comply with the public interest in such a development.

(d) the opportunity for the public to obtain its principal stated objective of achieving the "preservation and conservation of the natural land and/or environment" (Section 2(16)) by acquiring Hazard Lands in their natural state and at a value which reflects that state; and

WHEREAS if, on the other hand, fill permit applications in the Hazard Land areas in general are, or can be issued without requiring the prior review and approval of the municipality as previously described, then the co-ordinated program to institute comprehensive flood plain management in Hazard Land areas becomes ineffective and all Hazard Lands obtain an implicit land value equal to that of other developable land in the City less the simple cost of overcoming only one environmental concern (by employing compensatory "cut and fill" techniques); and

WHEREAS if the current application is approved and filling takes place then the City's objective of preserving and conserving the natural land and/or environment, in this instance, is no longer achievable and the City will have to redesignate it to another land use category, which under normal circumstances have to presume some form of urban development; and

WHEREAS if the City, on the other hand, acts to purchase the subject land in order to achieve its Official Plan objectives after a fill permit is issued (but before filling takes place) the City will have to pay for the value of the land as enhanced by the presence of the valid fill permit and its implications described above; and

WHEREAS these ramifications of issuing fill permits in Hazard Land areas without the prior approval of the affected municipality are extremely serious and not in the public's interest;

THEREFORE Be It Resolved that Council recommend to the Cataraqui Region Conservation Authority that the subject application by Mr. J.L. Smith be refused.

TABLED
(See following motion to table)

Moved by Ald. Gorham,
Seconded by Ald. Clark,

That Clause 2, Report No. 99 be tabled until the meeting of City Council scheduled for October 9, 1979 and the City Solicitor be requested to consider the clause and the letter from Trumpour and Kennedy, Barristers & Solicitors, on behalf of Mr. John L. Smith, it being noted that the deadline for submission of comments to the Cataraqui Region Conservation Authority is October 11, 1979. (See Communication No. 589).

CARRIED

REPORTS (Cont'd)

Report No. 99 - City of Kingston Planning Board

3. That, as recommended by the Local Architectural Conservation Advisory Committee, the following plans for proposed entrance improvements to 27 Princess Street (S & R), being a building designated under The Ontario Heritage Act:

Sketch	Renovations to Princess Street Entrance of S & R Store - Dated September, 1979
Dwg. A2	Plan Section AA and Door Detail - dated May 1, 1979
Dwg. A4	Elevations and Electrical Plan - dated June, 1979

be approved.

CARRIED

4. That, as recommended by the Local Architectural Conservation Advisory Committee, proposed changes to 243 King Street East (Empire Life Insurance Company), a designated building under The Ontario Heritage Act, be approved as outlined in a letter from MacLennan Associates, Architects, dated August 30, 1979, a copy of which is attached hereto as Schedule 'A' (3 pages).

CARRIED

5. WHEREAS on January 30, 1978, Council, upon the recommendation of the Local Architectural Conservation Advisory Committee and the Planning Board, agreed to the designation of 9 Kennedy Street as a building of historical and architectural value pursuant to Section 29 of The Ontario Heritage Act, 1974, subject to an Easement Agreement, in order that the owner could receive an Ontario Heritage Foundation grant for the exterior restoration; and

WHEREAS the owners have requested removal of a clause in the Easement Agreement relating to interior improvements, which clause was not required by either the Local Architectural Conservation Advisory Committee or the Ontario Government, and does not affect the reasons for designation;

THEREFORE BE IT RESOLVED THAT the Easement Agreement with respect to 9 Kennedy Street be amended to remove Clause 1.10(b) and that Council enact a by-law authorizing the entering into of the Heritage Easement Agreement pursuant to Section 37 of The Ontario Heritage Act, 1974, as amended.
(See By-Law 18 : No. 79-226)

CARRIED

REPORTS (Cont'd)

Report No. 99 - City of Kingston Planning Board

(Note: The following clause should be considered in conjunction with Clause 1, Report No. 98, Downtown Core Committee)

6. WHEREAS Development Proposals have been requested by the City of Kingston with respect to lands situate within the area of the Downtown which is designated as a Redevelopment Area under Section 22 of The Planning Act; and

WHEREAS the deadline for receipt of proposals was set by Council as October 15th, 1979; and

WHEREAS a written request has been received from Minto Construction Limited, for extension of such deadline and for further information with respect to the evaluation of proposals;

THEREFORE BE IT RESOLVED that:

a) the closing date for receipt of proposals for the Redevelopment Area be extended to December 15th, 1979, and that all parties who have expressed interest in the proposal be advised accordingly; and

b) that a decision regarding procedure for evaluation of proposals be deferred until this matter has been discussed further by the Planning Board at its meeting on October 10th, and an appropriate recommendation presented to Council.

LOST 4:10

(Ald. Timmins opposed)

Clause 1, Report No. 98 was then considered (See Pages 1450, 1451 and 1452)

Ald. Gerretsen declared a conflict of interest with regard to Clause 7 as he is a solicitor for a tenant in the building.

Ald. Gerretsen withdrew at 9:40 p.m. and returned at 9:42 p.m.

7. WHEREAS on December 8, 1977, the City entered into a Development Control Agreement with Two Brothers Ltd., with respect to property located on Princess Street; and

WHEREAS it has come to the attention of the City that the building subsequently constructed does not conform to the conditions of such Development Control Agreement; and

WHEREAS the owner has been requested to submit a revised application for Development Control approval with regard to the Princess Street facade;

THEREFORE BE IT RESOLVED that if no application for Development Control approval has been received by October 15th, 1979 and that this matter be referred to the City Solicitor in order that he might recommend appropriate action.

CARRIED AS AMENDED 12:1

(See following motion of amendment)

(Ald. Gerretsen abstained from voting)

(Ald. Webb opposed)

REPORTS (Cont'd)

Report No. 99 - City of Kingston Planning Board

7. (Cont'd)

Moved by Ald. Tarnowecky,
Seconded by Ald. Gorham,

That Clause 7 be amended to delete the following words from the last paragraph, "and presented to the Planning Board by October 30, 1979 that the City Solicitor be directed to take appropriate legal action" and substitute in lieu thereof the following, "that this matter be referred to the City Solicitor in order that he might recommend appropriate action."

CARRIED 12:1
(Ald. Webb opposed)
(Ald. Gerretsen abstained from voting)

Respectfully submitted,

(Signed) *Grant Timmins* (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

Schedule 'A'to Report No. 99
(Page 1)

MACLENNAN ASSOCIATES ARCHITECTS (613) 54
SUITE 207, 275 ONTARIO STREET, KINGSTON, ONTARIO, K7K 2X5

Neil K. MacLennan, B.A., B.Arch., M.R.A.I.C.
Malcolm B. Reed, B.A., B.Arch., M.R.A.I.C.

P.

August 30, 1979

Mr. George Muirhead
Secretary
Local Architectural Conservation Advisory Committee
City of Kingston
City Hall
Kingston, Ontario

Re: Interior Renovations to
Empire Life Insurance Company Building
243 King Street East

Dear Mr. Muirhead,

As you know, we are the architects for the renovations of the Empire Life Insurance Company building at 243 King Street East, i.e., the historic building of 1853-54 and the wing built in 1931-32. As I mentioned to you on the telephone, the work is essentially and almost entirely interior. There will be, however, a few effects on the exterior. As 243 King Street East has been designated a building (property) of architectural and historic significance, we wish to inform the Local Architectural Conservation Advisor Committee of these effects and to request its approval thereof.

We enclose a series of twelve photographs which illustrate the existing con- ditions and locate the changes to be made, together with a copy of a site plan locating these views.

1. An important part of the renovations is the provision of central air conditioning, in two systems, one for the Historic Building and the other for the 1932 wing. This will enable us to get rid of the numerous window air conditioners inserted in recent years, evident on Photos 1 to 7 enclosed. This will have a substantial beneficial effect on the appearance of the building.

2. In connection with the provision of central air conditioning and of the improvement of the heating system, all windows will be double glazed. This entails the making of new sash to match the original profiles but with deeper rebates for the ½" thick sealed double glazing units. We

..../2

Schedule 'A' to Report No. 99
(Page 2)

propose to take this opportunity to restore the sash modified (reduced in size) for the insertion of window air conditioners to their original sizes.

3. We propose also in this connection to restore the two large windows on the first floor of the Historic Building facing King Street to their original appearance, with the upper sash divided in four and the lower in two, in place of the two large single panes now existing (Photo 3). These would then match the corresponding windows facing William Street (and the parking area), which retain their original divided sash (Photos 2, 7, 9).

4. We propose further to replace the sash of the five large windows on the first floor of the 1932 wing facing King Street (Photos 3 & 4) so that these windows match those in the Historic Building; i.e., are similarly divided. These windows were designed by Colin Drever to be divided, six over four, but were either built with the present undivided sash or later changed to this configuration. We feel that these windows should match those in the Historic Building, and moreover that the appearance of the building on King Street will be enhanced by these changes.

   Note: We enclose a postcard and newspaper clipping dating from the period when the building was used by Regiopolis College, loaned to us by Mrs. Margaret Angus, which show that at this period the first floor windows of the Historic Building on both King and William Streets were divided, six over four. We think that this is almost certainly the original configuration, as does Mrs. Angus.

5. In order to provide central air conditioning, we must locate air intake and exhaust louvred vents. For the system serving the Historic Building, we propose a mechanical room (fan room) located on the second floor of that building adjacent to the 1932 wing, with the necessary louvred vents replacing a window overlooking the roof of the 1932 wing, with the sill and spandrel removed in order to provide the necessary area. Fortunately this opening cannot be seen from King Street adjacent, because of the high parapet of the 1932 wing (see Photos 4 & 5). It can be seen in part and distantly in front of St. George's Cathedral and from Ontario Street (Photo 6), and, of course, from the upper floors of the new building (Photo 10).

6. For the system serving the 1932 wing, we propose a mechanical room located in the basement of that wing adjacent to the parking area off William Street, with the necessary louvred vents in new openings in the south wall of the wing from areaways to be created in the parking area. These areas will be surrounded by concrete walls which will be integrated with new concrete stairs to replace the existing shown on Photo 11.

..../3

7. The renovated Historic Building and 1932 wing will receive hydro service from transformers in the new building. The existing transformer vault in the parking area off William Street beside the Historic Building (see Photo 12) will be retained as a cable termination vault, but will be lowered some three feet, to the same level as the existing oil storage tank on the other side of the areaway for the basement stairs. This areaway and stairs will be rebuilt to provide a more convenient and safer stair.

8. We propose to replace the window on the second floor of the Historic Building overlooking the roof of the 1932 wing to the south (towards Ontario Street) of the window referred to in paragraph 5. above (see Photos 6 & 10) with a glazed door giving access to the roof. This opening is, of course, even less visible from King Street than the one to be replaced with a louvred vent, because it is farther from this street.

I believe that the above is a complete list of changes to the exterior enta by the present renovations. The changes are relatively minor, but we belie that the effect (especially of Items 1 to 4) will be a distinct improvement to the appearance of the building.

You and members of the Committee may have noticed, incidentally, that the appearance of the north-east facade of the 1932 wing, i.e., the wall facing entrance court of the new building, has been improved by the removal of the facing on the lower part of the wall and the repair and rebuilding of the th exposed roughly laid limestone, which is apparently part of the original out building or garden wall of the Historic Building, and which was utilized by Drever in the design of the 1932 Wing. (See Photo 5).

As the renovations are now proceeding, we would appreciate a consideration o changes as soon as possible. We will be pleased to be present at the next m of the Committee, on September 10, to give further information if so require

Yours very truly,

MBReed

Malcolm B. Reed

MBR:ef

Enclosures: Photographs (12)
Postcard and Clipping in envelope
Drawing A-1 (P.77024)

cc: Mr. V. Reed
Mr. D. Emmons
Mrs. Margaret Angus

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

Council consented to the addition of Clause 16.

Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That Report No. 100 of the Chief Administrative Officer be considered.

REPORT NO. 100

October 1st 1979.

To the Mayor and Aldermen:

1. WHEREAS at the Meeting of the Finance Committee held on February 7th 1979, approval in principle was given to the negotiated package for the agreement with Tricil Waste Management Ltd. and it was requested that the City Solicitor draft an agreement for approval;

THEREFORE BE IT RESOLVED, that as recommended by the Commissioner of Works, the City Solicitor and the Deputy City Engineer, the Mayor and City Clerk be authorized to execute the amending agreement attached hereto as Schedule "A", 6 Pages.

(Note: A copy of the report of the Commissioner of Works, is attached hereto as Schedule "A", 8 Pages.

The report includes the negotiated package approved by the Finance Committee, Page 8.)

REFERRED TO SPECIAL MEETING OF COUNCIL TO BE HELD ON OCTOBER 17, 1979
(See following motion of referral)

Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That Clause 1, Report No. 100 be referred to the special meeting of Council to be held on October 17, 1979.

CARRIED 11:2

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

2. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the concrete sidewalk 2.44 m wide in (1) Ontario Street, from Clarence Street to Johnson Street, and (2) in Johnson Street, north side, from Ontario Street to easterly 4.27 m under the provisions of Section 7 of the Local Improvement Act as follows:

Total Estimated Cost	$7,000.00
Owner's Share	2,753.38
MTC Subsidy	881.00
City's Share	3,365.62
Debenture Amount	6,119.00

And, the following transfer in the 1979 Capital Budget be approved:

	INCREASE	DECREASE
Local Improvement, pavement Ontario - Clarence - Johnson		$6,119.00
Local Improvement Sidewalk, Ontario - Clarence - Johnson	$6,119.00	

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "B", 1 Page.)

(See By-Law 16: No. 79-224

CARRIED

3. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the reconstruction of the pavement (10.67 m) wide in Bagot Street from Johnson Street to Brock Street, under the provisions of Section 7 of the Local Improvement Act, as follows:

Total Estimated Cost	$17,800.00
Owner's Share	588.12
M.T.C. Subsidy	8,165.00
City's share	9,046.88
Debenture Amount	9,635.00

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "C", 1 Page.)
(See By-Law 17: No. 79-225)

CARRIED

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

4. (a) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $55,384.10 for construction and reconstruction of sidewalks.

Work authorized by by-laws:

9078; 9089; 9096A; 9097, 9114; 9290; 9291; 9332; 9102; & 9292

Interest Rate: 11 1/4%
Term: 10 years

(See By-Law 1: No. 79-209)

(b) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $392,107.02 for construction of asphalt pavements.

Work authorized by by-laws:

8939; 8945; 8970; 9055; 9096B; 9105; 9109; 9110; & 9250 as amended by 9334; 9112, 9100, & 9294 as amended by 9333

Interest Rate: 11 1/4%
Term: 10 years

(See By-Law 2: No. 79-210)

(c) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $61,207.90 for construction of Storm Sewers.

Work authorized by by-laws:

9104 & 9304

Interest Rate: 11 1/4%
Term: 15 years

(See By-Law 3: No. 79-211)

(d) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $6,661.11 for construction of a Watermain on Russell Street.

Work authorized by by-law:

9113

Interest Rate: 11 1/4%
Term: 15 years

(See By-Law 4: No. 79-212)

(e) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $68,000.00 for the purchase of a Snow Blower.

Purchase authorized by by-law:

9321

Interest Rate: 11 1/4%
Term: 5 years

(See By-Law 5: No. 79-213)

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

4. (Cont'd)

(f) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $57,675.12 for reconstruction of sidewalks.

Work authorized by by-law:

9247 at cost of $87,234.00

Interest Rate: 11 1/4%
Term: 10 years

(See By-Law 6: No. 79-214)

(g) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $185,000.00 for Improvements, Alterations and Extensions to the water system of the City of Kingston.

Work authorized by by-law:

9215

Interest Rate: 11 1/4%
Term: 15 years

(See By-Law 7: No. 79-215)

(h) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $195,000.00 for alterations and equipment for the Youth Centres.

Work authorized by by-law:

9259 as amended by by-law 79-95

Interest Rate: 11 1/4%
Term: 3 years

(See By-Law 8: No. 79-216)

(i) That a by-law be presented to Council to amend by-law 9357 "A by-law to establish a parking lot on the south side of Queen Street between Bagot Street and Montreal Streets at a total cost of $316,188.00 and to provide for the borrowi upon debentures in the amount of $250,000.00 at the genera rate" to amend the interest rate from 9 3/4% for 15 years to 11 1/4% for 15 years.

1 - 5 years 11 1/4%
Term: 15 years

(See By-Law 9: No. 79-217)

(j) That a by-law be presented to Council to amend by-law 9246 "A by-law to authorize the borrowing of $120,000.00 upon debentures towards the cost of purchasing a new King Delux fifty foot Telesquirt Pumper" to amend the interest rate from 9 1/4% to 11 1/4%.

Interest Rate: 11 1/4%
Term: 3 years

(See By-Law 10: No. 79-218

(k) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $16,329.43 for construction of a Storm Sewer and outlet ditch in the Parkway.

Work authorized by by-law:

9101

Interest Rate: 11 1/4%
Term: 10 years

(See By-Law 11: No.79-219

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer (Cont'd)

4. (Cont'd)

(l) That a by-law be presented to Council to authorize for the borrowing upon debentures of the sum of $11,131.32 for the construction of a Watermain on Queen Mary Road.

Work authorized by by-law:

9293

Interest Rate: 11 1/4%
Term: 10 years

(See By-Law 12: No. 79-220)

(m) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $92,504.00 for improvements at the Norman Rogers Airport.

Work authorized by by-law:

79-117

Interest Rate: 11 1/4%
Term: 5 years

(See By-Law 13: No. 79-221)

(n) That a by-law be presented to Council to authorize the borrowing upon debentures of the sum of $150,000.00 for improvements, alterations and extensions of the Water System.

Work authorized by by-law:

79-51 $282,000.00

Interest Rate: 11 1/4%
Term: 15 years

(See By-Law 14: No. 79-222)

(o) That a by-law be presented to Council to consolidate the following sums into one sum and provide for the borrowing thereof:

	TERM IN YEARS	AMOUNT
Sidewalks	10	$55,384.10
Pavements	10	392,107.02
Storm Sewers	15	61,207.90
Watermains	15	6,661.11
Snow Blower	5	68,000.00
Sidewalks	10	57,675.12
Water System	15	185,000.00
Youth Centres	3	195,000.00
Parking Lot	15	250,000.00
Fire Truck	3	120,000.00
Storm Sewer - Parkway	10	16,329.43
Watermain - Queen Mary Road	10	11,131.32
Airport	5	92,504.00
Water System	15	150,000.00
		$1,661,000.00

Summary

1 - 3 year Term	$ 315,000.00
1 - 5 " "	160,504.00
1 - 10 " "	532,626.99
1 - 15 " "	652,869.01
	$1,661,000.00

Interest Rate: 11 1/4%

Debentures to be dated December 15, 1979. Interest calculated annually and payable semi-annually on June 15th 1979 and December 15th 1979.

(See By-Law 15: No. 79-223)

CARRIED

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

5. That tenders be called for the sale of $1,661,000.00 debentures and the Mayor, Chief Administrative Officer and the City Treasurer be authorized to award the tender, it being understood that the award will be presented to City Council for ratificatio

CARRIED

6. That, pursuant to Section 636(a) of The Municipal Act, R.S.O., 1970, Chapter 284, the applications of persons and firms listed in the attached "D" in the amount of $35,658.03 for cancellation of taxes levied for 1978 and 1979 be approved. (Schedule "D" - 3 Pages).

CARRIED

7. WHEREAS the "O.H.R.P. Loan Approval Committee" and the OHRP (Rental) Loan Approval Committee" is comprised of the following members:

Vice-Chairman of the Finance & Accounts Committee;
NIP Co-ordinator; and
City Treasurer;

AND WHEREAS, under the Council-Committee of the Whole System, there is now no Finance and Accounts Committee:

THAT the composition of the "OHRP Loan Approval Committee" and the "OHRP (Rental) Loan Approval Committee" be revised to be as follows:

The Member of Council appointed as Acting Head of Council,
NIP Co-ordinator and Housing Information Officer, and
City Treasurer and Deputy Chief Administrative Officer.

CARRIED

8. WHEREAS, City Council at the meeting of September 24th 1979, (Clause 1, Report No. 96) approved additional funding for the day nurseries and day care centres;

AND WHEREAS it is necessary to provide the necessary funds for the City's portion;

THEREFORE BE IT RESOLVED that the following budget transfer be approved:

Expenditures Social Services:	Account Number	Increase	Decrease
Harbour Light	3753-A	-	$14,152.00
Nurseries	3791	$6,562.00	-
Private Home	3790	$9,250.00	-
West End	3792	$3,000.00	-
R.H.Hay	3789	$3,898.00	
Finance Contingencies			1,720.00
Revenue:			
Subsidy: Hostels		-	11,322.00
Subsidy: Day Nurseries		$18,160.00	

- and further -

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

8. (Cont'd)

That the following agreements be amended to change the maximum amount payable, subject to the approval of the Ministry of Community and Social Services, as shown:

	Present Maximum	Proposed Maximum
Family Day Care	$ 15,700.	$24,950.
Kingston Day Care (R.H.Hay)	47,200.	51,098.
West End Children's Centre	20,000.	23,000.
St. Matthew's	2,520.	4,640.
Complex Co-op	2,235.	4,277.
Helen Tufts	13,986.	16,386.

(Note: A copy of the report of the Chief Administrative Officer is attached as Schedule "E", 1 Page.)

CARRIED 11:3

9. That, as recommended by the Commissioner of Works, the following policy be approved with regard to City contracts:

1) Include in the tender the minimum reasonable number of working days that it is estimated a contractor with ample resources would require to do the work.

2) Do all reasonable pre-engineering to eliminate as many problems as possible at the design stage and assist in the time estimate.

3) Delegate authority to one person for street closures of short duration.

4) Keep liquidated damage amount to the maximum that is justifiable.

(Note: A copy of the report of the Commissioner of Works and the Chief Administrative Officer is attached as Schedule "F", 3 Pages.

Please Note: It is recommended by the Chief Administrative Officer that authority for the closing of a street for one or two days should be given to the Mayor and Council could be made aware of the decision at its next Council Meeting.")

CARRIED

10. That, as recommended by the Administrator, Traffic, Streets and Parking, no action be taken on the proposal for alternative side parking on Grey Street between Concession Street and First Avenue.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "G", 2 Pages.)

CARRIED

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

11. That a by-law be presented to Council to amend By-Law No. 24, "A By-Law for Regulating Traffic in The Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act" (Clause 11, Report No. 100) to provide that parking be prohibited on both sides of College Street from 10-11 a.m. and 2-3 p.m., Monday to Friday inclusive, from Franklin Place to the South Limit of 541 College Street.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "H", 2 Pages.)

CARRIED

12. That permission be granted to H.M.C.S. Cataraqui to hold a "Naval Reunion" church parade on Sunday, October 21st, 1979, beginning at 10:00 a.m. from St. Andrew's Church, Clergy Streets.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "I", 3 Pages.)

CARRIED

13. That, as recommended by the Administrator of Traffic, Streets and Parking:

a) No action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

b) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

c) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid by resident users through a monthly charge.

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached as Schedule "J", 6 Pages.)

TABLED UNTIL THE REGULAR MEETING OF CITY COUNCIL TO BE HELD ON OCTOBER 9, 1979
(See following motion to table)

Moved by Ald. Knapp,
Seconded by Ald. Miller,

That Clause 13, Report No. 100, be tabled until the meeting of City Council to be held on October 9, 1979.

CARRIED 9:5

REPORTS (Cont'd)

Report No. 100 - Chief Administrative Officer

14. WHEREAS on August 20th 1979, a letter was received from the Ministry of the Environment notifying that a regulation will be filed effective the end of the year ending the Ministry of the Environment's reponsibility for certifying Derelict Motor Vehicle Sites, enclosing a model by-law and urging municipalities to put into effect an appropriate by-law which in keeping with good planning practices will allow regulation and control of these sites and licensing of such sites;

AND WHEREAS this matter has been studied by the Director of Planning and Urban Renewal and the City Solicitor;

THEREFORE BE IT RESOLVED that the reports of the Director of Planning and Urban Renewal and the City Solicitor be forwarded to the Ministry of the Environment and Council consider the suggestion of the City Solicitor that By-Law No. 2, "A By-Law to Regulate and License Second-Hand Stores, Junk Stores and Salvage Yards in the City of Kingston", Section 7, be slightly amended in accordance with the draft by-law forwarded by the Ministry of the Environment and that this suggestion be forwarded to the Board of Police Commissioners for their consideration.

(Note: A copy of the Report of the Chief Administrative Officer, the Director of Planning and Urban Renewal and the City Solicitor, is attached hereto as Schedule "K", 7 Pages.)

CARRIED

15. That, as recommended by the Chief Administrative Officer, the following budget transfer be approved in order to provide additional funds for the Kingston Public Library Board:

	INCREASE	DECREASE
Kingston Public Library	$10,000.	
Finance Contingencies		$10,000.

(Note: A copy of the report of the Chief Administrative Officer, is attached hereto as Schedule "L", 2 Pages.)

CARRIED 11:2

16. That permission be granted to the Salvation Army to conduct a parade on Saturday, October 6, 1979 on Alfred Street, Johnson Street and Ontario Street.

CARRIED

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

Schedule "A" to Report No. 100
(Page 1)

SEP 2 4 1979

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date September 17, 1979

Subject Amendment to Tricil Agreement

Origin The Finance Committee at their meeting on February 7, 1979 approved, in principle, a negotiated packag of changes in the Agreement on the basis the draft amendment would come back to Council.

Analysis After lengthy negotiations as to the wording of the amending agreement, it is attached as Schedule "A". A brief summary of the main changes is attached as Schedule "B".

The expectations of Council may not have been achie as far as the recovery of energy is concerned. The efforts of Tricil and CIL have been partially successful in this area but their developments have not been marketable as yet. Work towards the production of energy continues.

The terms of the amendment as negotiated improve the City's position to the maximum extent that the Negotiating Committee consider possible.

Recommendation That the Mayor and the City Clerk be authorized to execute the above mentioned amending agreement.

D.Graham, P.Eng
Commissioner of Works

DG/gg
Att. 2

THIS AGREEMENT made the day of 1979, amending an Agreement dated the 3rd day of February, 1975

B E T W E E N:

TRICIL LIMITED, a Canadian corporation having its principal office and place of business in the Regional Municipality of Peel in the Province of Ontario
(hereinafter called "Tricil")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "City")

OF THE SECOND PART

WHEREAS:

A. The parties entered into an agreement (the "Agreement") dated February 3, 1975, which Agreement was subsequently approved by City by-law 8289; and

B. Tricil changed its corporate name to Tricil Limited subsequent to February 3, 1975; and

C. Tricil notified the City the Transfer Facility was ready for operation on February 26, 1976, which date is the commencement of the Term as provided in section 2.01 of the Agreement; and

D. The City has approached Tricil with a view to negotiating a revised method of compensation under the Agreement.

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the covenants herein contained, the parties hereto covenant and agree as follows:

1. All terms used in this amending agreement unless otherwise specified shall have the same meaning as used in the Agreement.

2. Article III is hereby amended by adding thereto section 3.08 which will read as follows:

"Section 3.08: From time to time during the Term, Tricil shall provide, at the City's request, information on the progress that has been made in the fields of energy or steam production and recovery of fibre, non-ferrous metals and any other materials."

Schedule "A" to Report No. 100
(Page 3)

3. Paragraphs (a) and (b) of section 4.01 of the Agreement, effective as of January 1, 1979, are deleted and the following are substituted therefor:

"(a) For 1978 an annual amount deemed to be $638,295;

(b) For each subsequent year of the Term (including 1979) the Adjusted Amount;"

4. Effective January 1, 1979, section 4.04 is hereby amended by deleting reference to "$600.00" and "section 5.01(c)" and replacing such references with "$780.00" and "section 5.01A" respectively. The "$780.00" shall be deemed to be the rebate fo 1978.

5. Effective January 1, 1979, section 4.05 is hereby amended by deleting reference to "$5.00/load" and "10.00/load" and "section 5.01(c)" and replacing such references with $6.50", "$13.00" and "section 5.01A" respectively. The "$6.50" and "$13.00" shall be deemed to be the rate per load for 1978.

6. Section 5.01 of the Agreement, effective as of January 1, 1979, is deleted and the following substituted therefor:

"Section 5.01: The parties hereto agree that, as the annual amount set forth in paragraph 4.01(a) is based on cost and labour conditions and population as at the commencement of 1978, an adjustment will be made annually to the annual amount for the immediately prior year, such adjusted amount to be effective at the 1st day of each January. The Adjusted Amount shall be calculated as follows:

A. Annual amount for the immediately preceding year times an adjusting factor (the "Adjusting Factor") which shall be the aggregate of:

(i) Labour Index: 0.35 times the average ratio change of the outside Public Works employees' rate, including fringe benefits, and the actual hourly rate for the Tricil tractor trailer drivers; and

(ii) Equipment - Capital Index: 0.20 times the average ratio change in the Price Index for Construction, Machinery and Equipment (composite index) and the Price Index for Trucks over 33,000 pounds; and

(iii) Other Operating Expenses Index: 0.30 times the average ratio change in the Industry Selling Price for Motor Vehicle Parts and Accessories Manufacturers, the Industry Selling Price for Diesel Fuel and the Consumers Price Index; and

Schedule "A" to Report No. 100
(Page 4)

(v) Constant: 0.15 shall remain constant.

B. After 1979, the amount set forth in clause A above shall be adjusted in relationship to the annual population change on the basis of 0.001 per cent per capita; provided that the 1979 population of 61,088 shall be considered a floor level and there shall be no adjustment to the annual amount if the population falls below this level; and provided further, in the event of annexation any additional payments to Tricil shall be negotiated by the parties as provided in section 6.08 of the Agreement."

Examples of the adjustment to the annual amount, the indecises and their sources are set forth on Schedule A attached hereto.

7. Section 10.01 of the Agreement is hereby amended by deleting the words "and that, subject to ... of the City".

8. Section 10.02 of the Agreement is hereby deleted and the following substituted therefor:

"The parties agree that after the end of each year of the term, the City may choose one of the following two options concerning recovery from the Resource Recovery Development Section:

A. The City shall be entitled to all the sale proceeds for the preceding year from the Resource Recovery Development Section but, as the said Resource Recovery Development Section was constructed entirely at the cost and risk of Tricil, only after Tricil has received sale proceeds to the extent necessary to obtain an annual 12-1/2% after tax net return on its investment in the said Resource Recovery Development Section; or

B. The City shall be entitled to five (5%) per cent of the net revenue for the preceding year from the resource recovery activities of the Resource Recovery Development Section (net revenue shall be the amount of resource recovery sales at the Resource Recovery Development Section less transportation costs; if such transportation costs can be provided more economically by Tricil than by the customer, then transportation shall be attended to by Tricil or its subcontractor) and Tricil shall be entitled to the balance of the sale proceeds."

9. Section 11.01 of the Agreement is hereby amended and the following substituted therefor:

"Section 11.01: The City may give Tricil 2 years notice ("Purchase Notice") of its desire to purchase the Facility. The Purchase Notice shall be effective only on the next occurring anniversary date. Thereafter the parties shall, in good faith, negotiate a purchase price for the Facility. The purchase and sale contemplated herein shall not take place until the anniversary date of the Agreement which is two years after the effective date of the Purchase Notice (or a time thereafter agreed to by the parties) but in no event shall be before February 26, 1982."

10. Tricil covenants and agrees to pay the City a sum of $20,000 in a manner agreed to by the parties.

11. With regards to the resource recovery requirements of the Agreement, the City acknowledges that Tricil has constructed a facility containing a system for the recovery and baling of paper fibre and has been selling recovered paper fibre since August, 1978 and has continued, in co-operation with Canadian Industries Limited, to explore material and energy recovery technology at its Resource Recovery Pilot Plant at Kingston.

12. Section 14.01 is hereby amended by deleting the name and address shown therein for Tricil and substituting therefor:

Tricil Limited
Suite 400
101 Queensway West
MISSISSAUGA, Ontario, L5B 2P7
Attention: The President

13. Except as expressly amended by this agreement the provisions of the Agreement are hereby expressly confirmed in all respects and shall continue in full force and effect and time shall remain of the essence.

IN WITNESS WHEREOF Tricil has hereunto affixed its corporate seal under the hands of its duly authorized officers in that behalf, and the City has hereunto affixed its corporate seal under the hands of its Mayor and Clerk-Comptroller.

TRICIL LIMITED	THE CORPORATION OF THE CITY OF KINGSTON
Per:______________________	Per:______________________
Per:______________________	Per:______________________

Schedule "A" to Report No. 100
(Page 6)

CALCULATION OF ADJUSTING FACTOR AND ADJUSTED AMOUNT

Typical Calculation Only

A. (i) LABOUR INDEX

Item:		Jan. 1978	Jan. 1979	Ratio
1.	City of Kingston outside Public Works employees rate, including fringe benefits.			1.060000
2.	Tricil hourly rate for tractor trailer driver.	6.97	7.46	1.070301
		Total of Ratios		2.130301
		Average of 2 Ratios		1.065151

A (ii) EQUIPMENT - CAPITAL INDEX

Item:		Jan. 1978	Jan. 1979	Ratio
1.	Price index for construction machinery and equipment (composite index).	204.4	228.5	1.117906
2.	Price index for trucks over 33,000 pounds.	155.3	169.3	1.090148
		Total of Ratios		2.208054
		Average of 2 Ratios		1.104027

(iii) OTHER OPERATING EXPENSES INDEX

Item:		Jan. 1978	Jan. 1979	Ratio
1.	Industry selling prices for motor vehicle parts and accessories manufacturers.	150.2	161.2	1.073236
2.	Industry selling price for diesel fuel.	250.2	278.3	1.112310
3.	Consumers Price Index	230.5	248.5	1.078091
		Total of Ratios		3.263637
		Average of 3 ratios		1.087879

			Weight In Factoring to Unity
1.	LABOUR INDEX	1.065151 x 35%	0.3728029
2.	EQUIPMENT - CAPITAL INDEX	1.104027 x 20%	0.2208054
3.	OTHER OPERATING EXPENSES INDEX	1.087879 x 30%	0.3263637
4.	CONSTANT	1.000000 x 15%	0.1500000
		1979 ADJUSTING FACTOR	1.0699720

Deemed amount for 1978 = $638,295

1979 annual amount = $638,295 x 1.0699720 = $682,958*

*This annual amount would be further adjusted for population change if applicable and would not commence until 1980 (see 5.01B).

Schedule "A" to Report No. 100
(Page 7)

SOURCE OF INDICES

A (i) LABOUR INDEX

Item No.	Category	Source
1.	City of Kingston Garbage Department, of if necessary, the outside Public Works employees rate. "Employees Rate" shall include wages and fringe benefits paid by the City of Kingston.	Agreement between City of Kingston and City Garbage Department employees, or outside Public Works employe
2.	Actual hourly rate for Tricil Transfer Station tractor trailer driver.	Agreement between Tricil and Tricil Transfer Station employees.

A (ii) EQUIPMENT-CAPITAL INDEX

Item No.	Category	Source
1.	Price Index for Construction, Machinery and Equipment (composite index).	Statistics Canada Catalog 62-011, Table 7, Item D603800.
2.	Price Index for Trucks over 33,000 pounds.	Statistics Canada Catalog 62-11, Table 1, Item D535928.

A (iii) OTHER OPERATING EXPENSES INDEX

Item No.	Category	Source
1.	Industry Selling Prices for Motor Vehicle Parts and Accessories Manufacturers.	Statistics Canada Catalog 62-011, Table 1, Item 15-3250
2.	Industry Selling Price for Diesel Fuel.	Statistics Canada Catalog 62-011, Table 1, Item 18-3651
3.	Consumer's Price Index for Canada	Statistics Canada Catalog 62-001

B POPULATION: Ontario Department of Revenue Census figures for the City of Kingston

Schedule "A" to Report No. 100
(Page 8)

NEGOTIATED PACKAGE APPROVED BY FINANCE COMMITTEE

Changes In Favour Of The City

1. An improved annual cost adjustment section.
2. A $10,000. reduction in base amount. This will provide a benefit in 1979 and for each remaining year of the contract.
3. A credit of $20,000. in 1979.
4. An improvement in the arrangement for profit sharing whch could provide a financial return to the City whether or not the recovery activity is profitable.

Changes In Favour Of Tricil

1. Payments tied in with population changes which was overlooked in original Agreement.
2. Buy out clause to provide two years notice with the two years commencing at the next anniversary date following the giving of the notice. In original Agreement after February 26, 1981 no period of notice was required.

Schedule "B" to Report No. 100
(Page 1)

SEP 25 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: SEPTEMBER 25, 1979

SUBJECT: Reconstruction of concrete sidewalk 2.44 m wide in
(1) Ontario Street,east side from Clarence St. to Johnson St.
and
(2) in Johnson Street, north side from Ontario St. to easterly

---

ORIGIN

A sufficiently signed petition for the above work has been recieved.

ANALYSIS

This project is warranted to meet the needs of Paron Development and to replace the existing walks which are in poor condition.

FINANCIAL

No provision for this work was made in the 1979 Capital. There is sufficient surplus debenture allotment in the provision for pavement reconstruction of the same section of Ontario Street.

RECOMMENDATION

That, since a sufficiently signed petition has been received, a by-law be passed to authorize the reconstruction of the concrete sidewalk 2.44 m wide in (1) Ontario Street, east side, from Clarence Street to Johnson Street and (2) in Johnson Street, north side, from Ontario Street to easterly 4.27 m under the provisions of Section 7 of Local Improvement Act.

Total Estimated cost	$7,000.00
Owner's Share	$2,753.38
MTC Subsidy	$ 881.00
City's Share	$3,365.62
Debenture Amount	$6,119.00

And, the following transfer in the 1979 Capital Budget be approved:

	INCREASE	DECREASE
Local Improvement, pavement Ontario - Clarence - Johnson		$6,119.00
Local Improvement Sidewalk, Ontario - Clarence - Johnson	$6,119.00	

D. Graham, P. Eng.
Commissioner of Works

PL/jc

Schedule "C to Report No. 100
(Page 1)

SEP 25 1979

MEMORANDUM

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: SEPTEMBER 25, 1979

SUBJECT: Reconstruction, asphalt pavement (10.67 m) wide in Bagot Street from Johnson to Brock Street.

ORIGIN A sufficiently signed petition for carrying out the above mentioned work has been received.

ANALYSIS The existing pavement is in bad condition and maintenance cost is high; therefore, reconstruction is warranted.

FINANCIAL Adequate funds are available in the 1979 Capital Budget.

RECOMMENDATION That, since a sufficiently signed petition has been received, a by-Law be passed to authorize the reconstruction of the pavement (10.67 m) wide in Bagot Street from Johnson Street to Brock Street under the provision of Section 7 of Local Improvement Act.

Total Estimated Cost	$17,800.00
Owner's Share	$ 588.12
M.T.C. Subsidy	$ 8,165.00
City's Share	$ 9,046.88
Debenture Amount	$ 9,635.00

D. Graham, P. Eng.
Commissioner of Works

PL/jc

Schedule "D" to Report No.100
(Page 1)

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

DATE: September 25, 1979

SUBJECT: Refund or cancellation of taxes pursuant to Secti
636(a) of the Municipal Act R.S.O. 1970 Chap. 284,
file 20.2.

ORIGIN: Application by owner of property, or owner of busi
in case of business tax.

ANALYSIS: Section 636(a) of the Municipal Act gives City Cou
the authority to write off taxes for the following
reasons:

Property has become exempt.
Building was razed by fire or demolished.
Overcharged due to error.
Liable for business tax, but has not carried on
business for the entire year.

ALTERNATIVE: If City Council does not grant the refund or cance
lation of taxes, the applicant is entitled to a hea
by City Council, and if not satisfied, may appeal t
the Assessment Review Court, County Judge and Ontar
Municipal Board.

FINANCIAL CONSIDERATION: On these write-offs, that portion of the tax that i
applicable to the school boards, is charged back to
the school board. Provision for these refunds or
cancellations has been made in the budget. Those
businesses who have discontinued, and re-located in
another area of the city are assessed by the Region
Assessment Office and are processed through the Tax
Department and billed for taxes at the new location
Also any business that moves into an existing or ne
location are also taxed for that part of the year t
they are liable for the tax. All applications for
refund or cancellation of taxes are referred to the
Regional Assessment Office for approval and follow-
prior to being presented to Council.

RECOMMENDATION: That pursuant to Section 636(a) of the Municipal Ac
R.S.O. 1970 Chap. 284, the applications of persons
and firms listed in the attached Schedule "A" in th
amount of $35,658.03 for cancellation, ~~reduction,~~
~~or refund~~ of taxes levied for /1979 be approved.
1978 &

B. G. Cousens

Tax Write-Off Under Section 636 of the Municipal Act — September 18/79

Roll Number	Property Address	Assess Type	General	Garbage	Public School	Separ. School	Second. School	Local Improve.	Penalty	Total
010 020 05300 0000 000C	Ontario	3930RP	327.36	33.40	159.99		137.87		26.36	684.98
010 020 06200 0000 000B	Ontario	E						104.47	4.16	108.63
010 120 00100 0000 000D	120-130 Johnson	E						23.60	.96	24.56
010 140 03600 0000 000F	Brock	E						18.65	.76	19.41
010 140 08200 0000 000L	220-224 Princess	20700RP	1724.32	175.95	842.69		726.15)			
		14735CP	1444.04	125.24	666.46		574.37)	128.49	256.32	6664.03
010 140 08400 0000 000F	218 Princess	320RP	26.65	2.72	13.02		11.22)			
		1280CP	125.45	10.88	57.90		49.90)		11.92	309.66
030 070 00100 0000 000G	391 Barrie	E						28.69	1.16	29.85
030 080 09000 0000 000K	138-140 Queen	3080RP	256.57	26.18	125.39		108.04)			
		2000CP	196.00	17.00	90.46		77.96)			
		1550RS	129.11	13.17		64.96	54.37)		46.36	1205.57
030 080 09800 0000 000D	132 Queen	1300RP	108.29	11.05	52.92		45.60)			
		5340CP	523.33	45.39	241.53		208.15)	3.26	49.60	1289.12
030 100 02300 0000 000L	221-225 Wellington	E						61.43	2.44	63.87
030 100 01901 0000 000B	19-23 Queen	5525CP	541.46	46.96	249.89		215.36		42.16	1095.83
030 120 06000 0000 000C	140 Rideau	E						3.10	.12	3.22
030 130 03700 0000 000C	Montreal	E						5.40	.20	5.60
040 010 08000 0000 000A	Rideau	10CP	.99	.08	.46		.38		.08	1.99
040 010 14800 0000 000D	Rideau	20CP	1.97	.17	.90		.77		.16	3.87 3.97
040 081 02200 0000 000A	362 Montreal	E							43.29	43.29
040 100 10100 0000 000G	Duff	E						219.38	8.76	228.14
040 100 10300 0000 000C	Duff	E						104.85	4.20	109.05
040 130 07100 0000 000E	Montreal	10CP	.99	.08	.46		.38		.08	1.99
040 140 03207 0000 000E	Compton	E						24.77	1.00	25.77
050 140 12605 0000 000G	Elliot	(1979) 250RP	20.83	2.12	10.17		8.78		1.68	
		(1978)	19.17	1.99	9.47		7.75		6.08	88.04
050 140 15500 0000 000F	Counter	8600RP	716.39	73.10	350.11		301.69			
		1550RS	129.11	13.17		64.96	54.37			
		JE 123/79	-123.93	-41.31				1022.60	102.40	2662.66
040 010 05100 0000 000H	Montreal	20CP	1.97	.17	.90		.77		.16	3.87 3.57

Schedule "D" to Report No. 100
(Page 3)

Page 2

Roll Number	Property Address	Assess. Type	General	Garbage	Public School	Separate School	Second. School	Local Improve.	Penalty	Total
050 140 16100 0000 000M	Counter	E						609.91	24.36	633.37
060 040 02500 0000 000E	902 Portsmouth	4620RP	384.84	39.27	188.09		162.07		30.96	805.23
070 080 11900 0000 000H	53 Yonge	13235RP	1102.48	112.50	538.80		464.29			
		3540RS	294.88	30.09		148.36	124.18			
		82200CP	8055.60	698.70	3717.90		3204.15		739.68	19231.61
070 150 00200 0000 000G	King W	1805RP	150.36	15.34	73.48		63.32		12.12	314.62
			16158.23	1453.41	7390.99	278.28	6601.89	2357.70	1417.53	35658.03

Schedule "E" to Report No. 100
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

September 26th 1979.

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: Mr. R. J. Hamilton, C.A.O.

RE: Social Services - Day Care Centres and Day Nurseries

At the meeting of City Council held on September 24th 1979, Clause 1, Report No. 96, approving additional funding for the day nurseries and day care centres was approved.

On the agenda for this meeting, as Clause 1, Report No. 100, is a recommended budget transfer in order to provide the necessary funds.

It is proposed to use the funds approved for the Salvation Army "Harbour Light", and make available from Finance Contingencies the amount of $1,720.

It should be pointed out, however, that should the Salvation Army, "Harbour Light" Group Home commence operations before the end of the year, and this is unlikely, that Council is committed to provide monies for this period.

Amendments to the agreements with the Day Care Centres and Day Nurseries are also being recommended at this meeting subject to the approval of the Ministry of Community and Social Services for their share of the increased funding.

R.J. Hamilton,
C.A.O.

/mh

Schedule "F" to Report No. 100
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer
CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-13.1

September 24, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: FUTURE INDEMNITIES ON CONTRACTS

We are forwarding to Council the above mentioned report together with a recommendation from Mr. D. Graham shown under items 1 to 4 inclusive.

The following comments are submitted:

(A) Some pre-engineering work would be done at the design stage which would hopefully point out certain physical conditions that would avoid delay in the completion of contracts and would provide a better estimate in terms of required days for physical completion of the project.

(B) The existing practice is set out in such a way that City Council must approve any and all closings of City Streets for contract work.

Mr. Graham is suggesting that City council delegate authority to close streets to one person whenever these closings are for one or two days.

It would seem to be in order that any delegation o authority be given to the Mayor and Council could be made aware of any decisions at its next council meeting. This action would avoid delay and not hold up a contract pending permission of City Council for closing of a City street.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "F" to Report No.100
(Page 2)

SEP 4 1979

4320

August 31, 1979

Memo to

Mr. R.J.Hamilton
Chief Administrative Officer

Re Future Indemnities on Contracts

Our road contracts fall into two types. One is a general contract covering many projects which are mostly in non-commercial areas. The other type is usually a single project which often involves commercial areas. Up-grading of underground services at a later date would mean pavement or sidewalk cuts. Every effort is made to co-ordinate the work on the underground services with the road work to avoid this. This latter type appears to be the one about which Council is mainly concerned.

It is the City's objective to complete these projects as quickly as possible to minimize interference with the operation of commercial outlets and minimize the inconvenience to general and local traffic. Some alternative actions that we could take in the future are outlined as follows -

(a) Includein the tender the minimum reasonable number of working days that it is estimated a contractor with ample resources would require to do the work. This would mean that a contractor that could not arrange for additional resources probably would not tender,

- or -

(b) Require the tenderers to state the number of working days they require and also advise them that time will be a factor in the award. There would probably be loss of subsidy if the award was to a higher tender to obtain quicker completion. The M.T.C. are likely to relate subsidy to the lowest tender.

(c) Accept existing underground information as available on drawings. If information incorrect problems are encountered causing delays,

- or -

(d) Excavate for actual information at design stage. Additional cost may be involved for no benefit.

............/2

Mr. R.J.Hamilton - 2 August 31, 1979

(e) Leave legislation regarding authority to close part of a street unchanged. This legislation is very inflexible. With a week or more between Council meetings unnecessary delays may occur,

- or -

(f) Authorize an official, elected or appointed, to approve street closures of short duration.

(g) Keep the liquidated damages that will be charged for an over-run of time to the maximum that is justified.

My recommendation is that (a) be used rather than (b) because we recover the maximum subsidy, that (d) be used rather than (c) because to avoid delays problems must be anticipated in advance, that (f) be used rather than (e) to also avoid unnecessary time extensions due to lack of flexibility in our present arrangement and (g) in which the amount should represent the City's out-of-pocket expense because the project time over-ran. Claims for loss of business should not be entertained as services must be constructed, replaced, or reconstructed as is necessary in City streets.

To summarize -

(1) Include in the tender the minimum reasonable number of working days that it is estimated a contractor with ample resources would require to do the work.

(2) Do all reasonable pre-engineering to eliminate as many problems as possible at the design stage and assist in the time estimate.

(3) Delegate authority to one person for street closures of short duration.

(4) Keep liquidated damage amount to the maximum that is justifiable.

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "G" to Report No. 100
(Page 1)

REPORT TO: Mr. R. J. Hamilton, C.A.O.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: September 24th, 1979.

SUBJECT Parking Control - Grey Street,
Concession Street to First Avenue

ORIGIN Requested by City Council at meeting on September 10th, 1979, when attached report was considered.

ANALYSIS

1) 19 letters were sent to residences and two businesses on Grey Street between Concession St. and First Avenue, requesting comments or objections on a proposal to prohibit parking on the east side from 8 a.m. on the 1st day of each month to 11 p.m. on the 15th day of each month, and on the west side from 8 a.m. on the 16th day of each month to 11 p.m. on the last day of each month.

2) A petition containing fifteen signatures from twelve households was received, opposed to any change in parking regulations on Grey St. In addition, four letters were received, one in agreement with the proposal, and three opposed.

RECOMMENDATION That no action be taken on the proposal for alternate side parking on Grey Street between Concession Street and First Avenue.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "G" to Report No. 100
(Page 2)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: September 6th, 1979.

SUBJECT Parking Control - Grey Street,
Concession Street to First Avenue

ORIGIN Request from Alderman McArthur to initiate a parking proposal to alleviate parking problems on Grey Street.

ANALYSIS (a) Existing Conditions:

Parking permitted on both sides of the street, no restrictions.

(b) Study:

Observation indicates that cars park for substantial lengths of time during the daytime period.

RECOMMENDATION (a) That parking be prohibited on the east side of Grey Street from 8 a.m. on the 1st day of each month to 11 p.m. on the 15th day of each month, and on the west side of Grey St. from 8 a.m. on the 16th day of each month to 11 p.m. on the last day of each month.

(b) That letters be sent to residents of Grey Street for comment or objection to the proposed parking regulations.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator,

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: September 26th, 1979.

SUBJECT Parking Control - Vicinity of 541 College Street.

ORIGIN Requested by City Council at meeting on June 25th, 1979, when the attached report was considered.

ANALYSIS

1) As requested on September 10th, 1979, 26 additional letters were sent to residences on College Street from 541 College Street to Park Street, requesting comments or objections on a proposal to prohibit parking from 10-11 a.m. and 2-3 p.m. on both sides of College Street from Franklin Place to the south limit of 541 College Street.
2) From a total of 113 letters sent, between Franklin Place and Park Street on College St., three letters of opposition and one letter of approval were received.

RECOMMENDATION That a by-law be presented to Council to amend By-law 24 (Traffic) to provide that parking be prohibited on both sides of College Street from 10-11 a.m. and 2-3 p.m., Monday to Friday inclusive, from Franklin Place to the south limit of 541 College Street.

lk

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "H" to Report No. 100
(Page 2)

Schedule W - Page 1 - Report No.

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator, Traffic, Streets and Parking Department.

DATE: June 21st, 1979.

SUBJECT Parking Control - Vicinity of 541 College Street

ORIGIN Request from Hartford Arms Apartment Building, 541 College Street, and letter dated June 5th, 1979 (attached).

ANALYSIS a) Existing Parking Regulations

Unlimited parking is permitted on both sides of College Street.

b) Study

Observation and letter indicate that cars park for substantial lengths of time during the daytime period. The requested prohibited parking between 10-11 a.m. and 2-3 p.m. may encourage the all day parkers from nearby commercial establishments to park on the north side of Franklin Place, where all day parking is permitted and no buildings are located.

RECOMMENDATION a) That parking be prohibited on both sides of College Street from Franklin Place to the south limit of 541 College Street, from 10-11 a.m. and 2-3 p.m., Monday to Friday inclusive.

b) That letters be sent to residents of both apartment buildings for comment or objection to the proposed parking regulations.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "I" to Report No. 100
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator, Traffic, Streets and Parking Department.

DATE: September 27th, 1979.

SUBJECT "Naval Reunion" Church Parade - Princess, King and Wellington Streets.

ORIGIN Request from H.M.C.S. Cataraqui to hold a "Naval Reunion" church parade on Sunday, October 21st, 1979, beginning at 10:00 a.m. from St. Andrew's Church, Clergy Street.

ANALYSIS

1) It is proposed that the parade will leave St. Andrew's Church at 10:00 a.m., proceed east on Princess Street, south on King, west on Lower University one block, north on Wellington to Brock Street and return to St. Andrew's Church. A reviewing stand will be erected in front of the former Naval Barracks at 47 Wellington Street. It is expected that the parade and reviewing stand service will be finished at 12:00 noon.

2) Since the parade will take place on Sunday when traffic is light, no problems are anticipated.

RECOMMENDATION That permission be granted to conduct the "Naval Reunion" Church Parade as requested.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

Schedule "I" to Report No. 100
(Page 2)

H.M.C.S Cataraqui
100 Montreal Street
Kingston, Ontario

September 11, 1979

Mr. Ed Taugher
Streets and Traffic Committee
City Hall
Kingston, Ontario

Sir:

This letter is to apply for permission for H.M.C.S Cataraqui to hold a "Naval Reunion" church parade on Sunday, October 21, 1979, at 1000 hours. The route for the parade is attached.

A letter is being sent to Inspector Fowler to provide a traffic control car for this parade. We intend having the reviewing stand in front of the former Naval Barracks at 47 Wellington street.

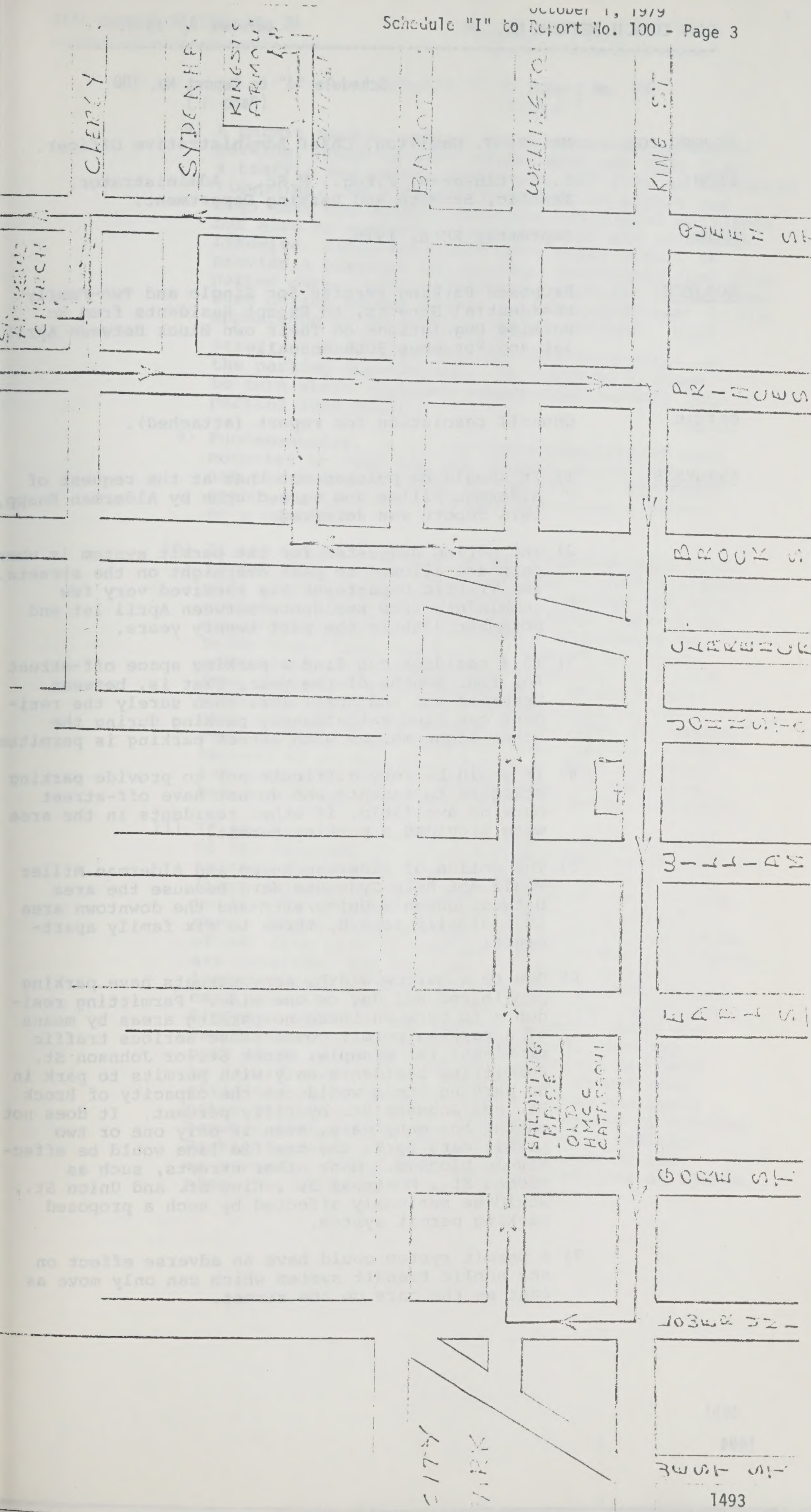
Any questions you may have can be directed to Lt. Walters at H.M.C.S Cataraqui, 545-5871.

Trusting this will meet with your approval

I remain
Sincerely yours

J.B. Plant
Commander(R)
Commanding Officer

WAS:CS


CHURCH
CLERGY
SYDENHAM
KINGSTON ARMOURIES
BAGOT
WELLINGTON
KING ST
QUEEN ST
PRINCESS
BROCK ST
CLARENCE
JOHNSON ST
WILLIAM
EARL ST
SALVATION
OLD HMCS CATARAQUI
GORE ST
LOWER ST
WEST ST
CITY PARK

Schedule "J" to Report No. 100
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator, Traffic, Streets and Parking Department.

DATE: September 28th, 1979.

SUBJECT Proposed Parking Permits for Single and Two-Family Residential Streets, to Exempt Residents from No Parking Regulations on Their own Block Between April 1st and November 30th Annually

ORIGIN Council resolution for report (attached).

ANALYSIS

1) It should be pointed out that at the request of Alderman Miller and agreed upon by Alderman Knapp, this report was deferred.

2) The period suggested for the permit system is when cars are allowed to park overnight on the streets. The Traffic Department has received very few complaints from residents between April 1st and November 30th in the past twenty years.

3) If a resident can find a parking space off-street for four months of the year, that is, between December 1st and April 1st, then surely the resident can find satisfactory parking during the other eight months when street parking is permitte

4) It would be very difficult not to provide parking stickers to tenants who do not have off-street parking available, if other residents in the area were provided a parking permit.

5) The motion of Alderman Knapp and Alderman Miller would not help Sydenham Ward because the area between Queen's University and the downtown area is basically Zone B, three to six family apartments.

6) Due to a narrow width, many streets have parking prohibited all day on one side. Permitting residents to park in these no parking areas by means of a parking permit could cause serious traffic problems; for example, Brock St. or Johnson St. Permitting residents only with permits to park in no parking areas would cut the capacity of Brock St. and Johnson St. by fifty percent. It does not matter how many cars, even if only one or two permit cars park, the traffic lane would be effectively blocked. Many other streets, such as Rideau St., Montreal St., King St. and Union St., would be seriously affected by such a proposed parking permit system.

7) A permit system could have an adverse effect on the public transit system which can only move as fast as the cars on the street.

Schedule "J" to Report No. 100
(Page 2)

8) A permit parking system would encourage on-street parking, which is very undesirable not only from a traffic and safety viewpoint, but from an aesthetic viewpoint. To Kingston's credit, an effort has been made not only to preserve historical buildings but also to encourage renovation of old buildings. Likewise, Kingston should make every effort to provide a pleasant streetscape relatively free from parked cars. With parking restrictions in Sydenham Ward during recent years, a vast improvement in the appearance of streets has been achieved. Many streets looked like drab parking lots prior to the parking regulations. It would be a shame to turn these pleasant residential streets into parking lots again.

9) Fundamentally, it is the responsibility of each motorist to find his own parking space. It is not the responsibility of the City or any other agency to find an on-street space for a tenant or a resident.

10) If the area of concern is the Sydenham Ward area, it is respectfully suggested that a permit system will attract more parkers and encourage the many students in the area who have rented because of the area's proximity to Queen's University to bring their cars and park on the street for a nominal amount, especially during the fall term from September to December 1st. It would also encourage the many summer sub-tenants in the area to park on the street rather than off-street. For example, there have been many instances where tenants of an apartment building with a parking lot prefer to park on the street, if permitted, because it is more convenient and more accessible.

11) If the area of concern is Sydenham Ward and one of the purposes is to encourage families to return to the area, it is also my submission that families, especially with young children, do not want to live on streets that are lined with parked cars. There is no greater danger for the children of our City than parked cars on a street. Children are carefree, and careless at times, and it is instant death if a child runs from between parked cars into the path of a vehicle. This past summer Kingston suffered the loss of a small child who ran between parked cars on Bagot St. into the path of an oncoming vehicle. If there had been no parked cars in that area of the street that child may still be alive today. Over the years other Kingston children have been killed by running between parked cars into the path of a vehicle. Parking permits encourage all day parking and, as a result, would make the Sydenham area an unsafe place for children to live and play.

Schedule "J" to Report No. 100
(Page 3)

12) If one of the concerns of Sydenham Ward is the interrupted parking regulations, it would be more feasible to relax these regulations, either to a time limit control of parking or to reduce the turnover time to once a day. For example, parking could be prohibited from 11 a.m. to 2 p.m. on one side and permitted on the other side during this time period. However, the existing regulations were implemented only after a survey of the residents and, basically, with their concurrence. Although a very few people may not be happy with the regulations, the vast majority of the resident are satisfied. No matter what the regulations are there will never be 100% agreement with any parkin regulations, even permit parking.

13) The proposed provision of exceptions to parking regulations for residents is contrary to the principle that streets are public and regulations should apply to all persons, whether residents, non-residents or visitors.

14) If permit parking is permitted, visitors and other motorists on the street may be trapped into parking becuase they see other cars parked on the street and may not examine the signs closely. The signs themselves could possibly be confusing, noting "No Parking", then noting "Permit Holders May Park". One example of where some motorists have felt trapped has been in loading zones, despite the signs stating "Trucks Only".

15) Some residents may wish a permit even though the driveway contains two parking spaces, in order to avoid moving the second car so that the first car can get out.

16) Perhaps the City should investigate developing two small off-street parking lots in Sydenham Ward in order to provide parking sites to those very few single family residents who do not have off-street parking. Some interior areas of blocks are used very inefficiently or not at all.

17) If Council should decide to provide permit parking, it should be at a rate of at least fifteen dollars per month, and preferably more, in order to discourage those residents or tenants who may find it more convenient and offer strong excuses in support of a parking sticker.

18) An on-street parking permit system may encourage some apartment owners to use their off-street parking area for building expansion or landscaping a back yard, rather than for parking.

19) A survey of other cities of our size revealed that they have not provided a parking permit system.

20) Many Sydenham Ward tenants who do not have cars have rented apartments in this area because it is convenient to walk to the downtown area, Queen's University, Kingston General Hospital, the parks and the waterfront. This natural attraction of many tenants without cars into Sydenham Ward would likely be upset. Future tenants with cars will become attracted to the area if low-cost permit parking is permitted on the street.

Schedule "J" to Report No. 100
(Page 4)

21) In thirty-three blocks studied south of Brock Street and east of Frontenac Street, about 4,400 people, of which 2,200 are students, live in this area. If a permit system is adopted, Kingston streets could become a parking lot for Queen's students and professors.

22) About the only recent parking complaint that I have received from Sydenham Ward residents is that professors cannot obtain a parking sticker from Queen's University because they reside too close to Queen's. I would suggest that these people obtain a permit for the Court House parking lot, where they can easily drive to and walk the remaining two blocks. They have to find an alternate site during the winter months anyway.

23) As requested, comments on Alderman Knapp's report are as follows:

(a) I concur that any resident sticker should not be issued unless the residents do not have off-street parking. However, it would be very time-consuming and very costly to check out each resident and tenant who applies for a sticker. It would be necessary to hire another employee if the proposed parking permit system is implemented at the present time. Due to financial constraints, the Parking Department has been operating with a minimum staff because Mr. Gorsline was not replaced after his retirement.

(b) The suggestion that private residences may apply for a maximum of two stickers, whereas apartment tenants cannot, might be considered discriminatory against tenants of large apartment units where a family has two or more cars.

(c) I concur that any resident sticker should not apply to trucks or commercial vehicles; however, what does one consider a van or small pickup truck which is used as the sole means of transportation by a tenant or resident who does not have an off-street parking space?

RECOMMENDATION 1) That no action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

2) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

3) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid by resident users through a monthly charge.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

MEMORANDUM

TO: Mr. K. G. Linseman, Traffic, Streets & Parking Administrator,

FROM: M. C. Healy, City Clerk,

DATE: May 29, 1979,

RE: Parking by Residents in "No Parking" Areas on Streets Zoned for One and Two Family REsidences

---

The following Notice of Motion was presented at the regular meeting of City Council held on May 28, 1979, for consideration of Council at the next meeting to be held June 4, 1979.

In the meantime this resolution was referred to the Traffic, Streets & Parking Administrator for a report thereon to the Chief Administrative Officer as soon as possible.

" Moved by Alderman Knapp,
Seconded by Alderman Miller,

That By-law No. 24 be amended to provide:

(A) That residents on one or two family residential streets be exempt from the "no parking" restrictions on their own block of a street;

(B) That for purposes of identification, and to prevent abuse, residents be issued one residency sticker at a cost to be determined by the appropriate City Department; (To cover printing & labour costs)

(C) That they be allowed to apply for a second sticker for an additional surcharge;

(D) Further, that this residency sticker expire simultaneously with the introduction of winter parking restrictions ; and

(E) Further that application for these stickers be done annually. "

M. C. Healy,
City Clerk

H*a

c.c. Mr. R. J. Hamilton, C.A.O.,
Mr. B. G. Cousens, City Treasurer,
Mr. G. G. Muirhead, Director of Planning & Urban Renewal,
Mr. N. Jackson, City Solicitor.

Schedule "J" to Report No. 100
(Page 6)

City Clerk
Ref. No. 21-5

MEMORANDUM

TO: Mr. K.G. Linseman, Traffic, Streets & Parking Administrator

FROM: M.C. Healy, City Clerk

DATE: June 8th, 1979

RE: Parking by Residents in "No Parking" Areas on Streets Zoned for One and Two Family Residences

---

Further to my memorandum of May 29th, I wish to notify you that Council, at its meeting held June 4th, 1979, requested that you report on the Notice of Motion as soon as possible to the Chief Administrative Officer, and that you also consider, at the request of Alderman Knapp, the following points in connection with your preparation of the requested report:

1) The "Residency Stickers" are restricted to those dwellings that DO NOT have provision for parking such as a garage and/or driveway. The lack of such facilities is to be recorded on the application and the applicant subject to a fine for false information.

2) Each dwelling may apply for a maximum of two residency stickers with the exception of apartment buildings.

3) For purposes of this By-Law an apartment building shall be one that contains two or more separate dwelling units.

4) Where apartment buildings exist as non-conforming uses in one and two family zone areas; and in those select cases where parking HAS NOT been provided; then each apartment unit may apply for a maximum of ONE residency sticker;

5) These "Residency Stickers" shall become invalid if used on trucks and/or commercial vehicles;

6) Residency stickers are to be prominently displayed in the rear window of the vehicle.

M.C. Healy,
City Clerk

CH/lmh

c. Mr. R.J. Hamilton, Chief Administrative Officer
Mr. B.G. Cousens, City Treasurer
Mr. G.G. Muirhead, Director of Planning & Urban Renewal
Mr. N. Jackson, City Solicitor

Schedule "K" to Report No. 100
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-1.2

September 20, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: DERELICT MOTOR VEHICLE SITES

We are forwarding herewith copies of two memorandu received from Mr. Jackson and Mr. Muirhead concerning this matter.

The general ideas expressed by both Departments indicate that the City would not be required to pass a by-law to control the establishment of derelict motor vehicles sites and also a by-law for licensing such sites would also appear to be unnecessary.

We therefore would recommend that this informatio be forwarded to the Ministry of the Environment at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "K" to Report No. 100
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

September 18, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: Derelict Motor Vehicle Sites

The City's zoning by-laws do not permit automobile wrecking yards as described in the correspondence. The one or two that are in existence, e.g. I. Cohen on Montreal Street, are non-conforming uses. Under the circumstances it would not appear to be necessary to pass a by-law to control directly the establishment of such uses. Hence, a by-law for licensing such yards would also appear to be unnecessary.

Yours very truly,

G. G. Muirhead

G.G. Muirhead, M.C.I.P.,
Director of Planning and
Urban Renewal.

GGM/mm

c.c. Mr. N. Jackson
Mr. R. Ruttan

Schedule "K" to Report No. 100
(Page 3)

SEP 11 '79

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. L-16

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: Norman C. Jackson,
City Solicitor.

DATE: September 4, 1979

RE: DERELICT MOTOR VEHICLE SITES

I have received the draft zoning by-law and licencing by-law concerning the above and, as requested, would comment as follows:

I do not agree with the form of the model zoning by-law which states that "no land shall be used for the storing or processing of derelict motor vehicles". This seems to me to be reversing the proper way to deal with the problem. Section 35 of The Planning Act states that "by-laws may be passed by council for prohibiting the use of land, except for such purposes as may be set out in the by-law". This is carried through in By-law 8499 of The City of Kingston, which states, in Section 1.2, that "no building, structure or land shall be used within the City, except in conformity with the provisions of the by-law".

It is, therefore, my interpretation that only those uses set out in By-law 8499 are permitted, and any use not listed in the particular zones of By-law 8499, is not permitted. Insofar as derelict motor vehicle sites are concerned, it would appear to me that this type of use is only permitted in one zone of the City, and that is the heavy industrial, M4 zone. Article XVIII of paragraph c, of Section 27.2, permits junk yards and scrap metal yards to be a permitted use.

....../2

Schedule "K" to Report No. 100
(Page 4)

Mr. R. J. Hamilton
September 4, 1979

Re: Derelict Motor Vehicle Sites

Page Two.

Subject to what Mr. Muirhead indicates is the intent of the by-law, it would seem to me that the by-law has chosen to permit this type of use in the M4 zone, and nowhere else in the City.

I believe there is new zoning being proposed for certain of the industrial zones in the City which has not yet been finalized. Mr. Muirhead could comment further on this.

I would add that it would appear to me that if a building was constructed along with the wrecking yard, the application for the building permit would be subject to Development Control approval. It may be, therefore, in conclusion, that the City Zoning By-Law, 8499, already has sufficient provisions in it to regulate the storing or processing of derelict motor vehicles without need of amendment.

Dealing with the second by-law, that is, the one for licencing, it would appear to me that this may not be needed either. Section 378 of The Municipal Act, R.S.O. 1970, Chapter 284, permits by-laws to be passed by the Boards of Commissioners of Police for licencing, regulating and governing salvage shops and salvage yards. Salvage yard is defined to include an automobile wrecking yard or premises. Pursuant to this enabling authority, the Board of Police Commissioners, in By-Law No. 2, enacted in 1961, have set out, in Section 7, that licences are required for junk yards or salvage yards. I include herewith a copy of Section 7 for your information. It may be that Section 7 of By-Law 2 should be slightly amended in accordance with the draft by-law, but this would appear to be a function, not of City Council, but of The Board of Commissioners of Police.

NCJ:dg
encl.

N. Jackson
Norman C. Jackson,
City Solicitor.

BY-LAW NO. 2 (1961)

4. The Chief Constable shall, without a warrant, as aforesai visit, or cause to be visited, on every alternate lawful day, each licensed second-hald store or junk store; but nothing in this section contained shall prevent him visit or cause to be visited, such stores at other times, when shall deem it necessary or proper to do so.

(By-Law No. 42 - 1938)

5. That the Chief Constable, immediately upon receiving a license fee under this By-Law, shall pay the same over to the City Treasurer of this City, and take his receipt for the same.

(By-Law No. 42 - 1938)

6. Repealed December 5, 1961.

7. Licenses for junk yards or salvage yards may be granted or renewed only if the land or premises comply and are operat and maintained in accordance with the following requiremen viz:

(a) All such lands and premises shall be surrounded by a close boarded fence, not less than 8 feet nor more th 10 feet in height, formed of substantial wood posts a stringers, properly braced, and boards of new dressed lumber, erected vertically, cut off true and level on top and secured to the outside of the posts and strin

(By-Law No. 42 - 1938)

In lieu of the erection of a board fence, the licensee shall screen the scrap metal area from view to a heigh of at least 10 feet by a building, or by means of a chain link fence or other suitable type of fencing, or combination of boarding, hedge or tree planting.

(By-Law No. 1 - 1972;
1 - 1973)

(b) Every such fence shall be erected truly vertical and shall be so maintained.

(By-Law No. 42 - 1938)

(c) Every gate in every such fence shall be:

(1) Located in a position approved by the Building Inspector;
(2) constructed with boarding as required for fences, and
(3) property braced and hung.

(By-Law No. 42 - 1938)

BY-LAW NO. 2 (1961)

7. (cont'd)

(d) No such gate shall open over public property.

(By-Law No. 42 - 1938)

(e) Every new fence shall be neatly painted an approved colour on each side which is exposed to a street or lane and shall be repainted whenever necessary.

(By-Law No. 42 - 1938)

(f) No advertising sign or device shall be place on any fence or gate except that the name of the owner or proprietor of the premises and the nature of the business carried on thereat may be printed neatly on such fence in letters not exceeding 18 inches in height.

(By-Law No. 42 - 1938)

(g) All goods and materials shall be piled neatly and safely in order to prevent accident.

(By-Law No. 42 - 1938)

(h) No goods or materials shall be piled against or to a greater height than the fence surrounding the lands or premises except that lumber may be piled higher than such fence providing the provisions of the building by-law respecting lumber yards are complied with.

(By-Law No. 42 - 1938)

However, where screening is provided in accordance with Section 7(a), scrap metal may be piled to a height not exceeding 40 feet.

(By-Law No. 1 - 1973)

(i) Sufficient clear space for loading and unloading operations shall at all times be maintained upon all such lands or premises.

(By-Law No. 42 - 1938)

(j) Inflammable goods and materials shall be located and piled upon all such lands and premises in accordance with the directions of the Chief of the Fire Department.

(By-Law No. 42 - 1938)

(k) No goods or materials shall be deposited, sorted, stored, loaded or unloaded on public property.

(By-Law No. 42 - 1938)

7. (cont'd)

(l) No fire other than that used only for heating equipment purposes or operating machinery or equipment shall be lighted or allowed to burn in or upon any land or premises or any building thereon or thereat.

(By-Law No. 42 - 1938)

(m) No dynamite or other explosive shall be used in any operation at or upon any such and/or premises under any circumstances.

(By-Law No. 42 - 1938)

(n) No roof or any building located on or at any such land or premises shall be used for store purposes.

(By-Law No. 42 - 1938)

(o) All such land or premises shall be kept in a sanitary condition and free from odours, rodents or vermin, to the satisfaction of the Medical Officer of Health and all requirements and regulations of the Medical Officer of Health shall be complied with.

(By-Law No. 42 - 1938)

(p) Where a provision in any other by-law in force in the City or an agreement is in force with a licensee that establishes higher standards to protect the health, safety and welfare of the general public, it shall prevail over Section 7 of this by-law.

(By-Law No. 1 - 1972)

8. Second-Hand Stores

(a) All such shops shall be kept in a neat condition and in good repair.

(By-Law No. 42 - 1938)

(b) All display windows shall be kept clean and all goods shall be exhibited in an orderly manner.

(By-Law No. 42 - 1938)

(c) No goods shall be displayed on the outside of any such shop.

(By-Law No. 42 - 1938)

(d) The front exterior of every shop shall be kept in a clean and presentable condition at all times.

(By-Law No. 42 - 1938)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-10.1

September 27, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: LIBRARY BOARD - REQUEST FOR ADDITIONAL FUNDING

Council will note that the Mayor indicated that the Library Board might come back to Council at mid-year to request the restoration of some of the deleted amounts, assuming that City Revenues might be higher than expected.

We have discussed these matters with Mr. Cousens, City Treasurer, and City Revenues are in fact not being realized to the degree we had budgeted for originally.

If we look at this situation without analyzing the position of the Library, the City should refuse to increase our allotment to the Library Board.

The Library attempted to cut their budget as directed by City Council as follows:

Reduction of part-time assistance	-	$ 5,000.00
Reduction in Book Purchases	-	10,000.00
Reduction of various smaller amounts	-	5,906.00
		$20,906.00
Balance of reduction as directed by City Council	-	$ 9,094.00
Total requested reduction		$30,000.00

.../2

Schedule "L" to Report No. 100
(Page 2)

The revenues increased by a further $4,449.00 leaving a further amount of $4,645.00 to be reduced.

At present the position of the Library is as follows:

Projected Capital Expenditures from Current Revenue (not budgeted for)	$3,988.00

Over runs from increased costs

Salaries	$3,614.00
Books	3,000.00
Water, fuel, and other operating accounts - differences between budget and actual	2,173.00
	$8,787.00

In order to balance their projected 1978 budget the Library Board needs the following amounts:

(1)	Projected Capital Expenditure out of Revenue	$3,988.00
(2)	Over runs on operating expenses	8,787.00
(3)	Balance of amount directed by the City for reduction of budget.	4,645.00
		$17,420.00

Council in this case could recognize the following over runs as a possible solution.

(1)	Capital out of revenue	$ 3,988.00
(2)	Salaries	3,614.00
(3)	Water, fuel and other operating costs	2,173.00
		$ 9,775.00

This leaves a balance to be picked up of $7,645.00 which the Library Board should attempt to pick up prior to end of the 1979 year.

We would therefore only recommend a budget increase in the amount of $10,000.00 for the Library at this time.

These matters have been discussed with His Worship the Mayor and Mrs. Cartwright, who have suggested that the figure of $10,000.00 will be in order and would represent an attempt by the City to control its own budgets and would also mean the Library would have to pick up the balance through their own innitiative in 1979.

Yours truly,

R.J. Hamilton,
C.A.O.

RJH/sd

COMMITTEE OF THE WHOLE (Cont'd)

REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTIONS

(1) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That City Council will hold a meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.

REFERRED TO SPECIAL MEETING OF CITY COUNCIL TO BE HELD ON OCTOBER 17, 1979
(See following motion of referral)

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That the motion of Ald. Hawkins and Ald. Knapp be referred to the Special Meeting of City Council to be held on October 17, 1979.

CARRIED

(2) Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the sympathy of Council be extended to the family of the late Marguerite French.

CARRIED

(3) Moved by Mayor Keyes,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late Edmund R. Milne.

CARRIED

NOTICE OF MOTION

BYLAWS

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Laws 1 to 20 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Timmins,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Laws 19 & 20 their Third Reading.

CARRIED

(C) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That By-Laws 19 to 21 be given their Third Reading.

CARRIED

BYLAWS (Cont'd)

(1) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $55,384.10 for Construction and Reconstruction of Sidewalks

FIRST & SECOND READINGS Proposed No. 79-209
Clause 4(a), Report No. 100, 1979

(2) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $392,107.02 for Construction of Asphalt Pavements

FIRST & SECOND READINGS Proposed No. 79-210
Clause 4(b), Report No. 100, 1979

(3) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $61,207.90 for Construction of Storm Sewers

FIRST & SECOND READINGS Proposed No. 79-211
Clause 4(c), Report No. 100, 1979

(4) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $6,661.11 for Construction of a Watermain on Russell Street

FIRST & SECOND READINGS Proposed No. 79-212
Clause 4(d), Report No. 100, 1979

(5) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $68,000.00 for the Purchase of a Snow Blower

FIRST & SECOND READINGS Proposed No. 79-213
Clause 4(e), Report No. 100, 1979

(6) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $57,675.12 for Reconstruction of Sidewalks (General Rate)

FIRST & SECOND READINGS Proposed No. 79-214
Clause 4(f), Report No. 100, 1979

(7) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $185,000.00 for Improvements, Alterations and Extensions to the Water System of the City of Kingston

FIRST & SECOND READINGS Proposed No. 79-215
Clause 4(g), Report No. 100, 1979

(8) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $195,000.00 for alterations and equipment for the Youth Centres

FIRST & SECOND READINGS Proposed No. 79-216
Clause 4(h), Report No. 100, 1979

BYLAWS (Cont'd)

(9) A By-Law to Amend By-Law 9357, "A By-Law to Establish a Parking Lot on the South Side of Queen Street between Bagot Street and Montreal Streets at a total estimated cost of $316,188.00 and to provide for the Borrowing Upon Debentures in the Amount of $250,000.00 at the General Rate" (Amend Interest Rate).

FIRST & SECOND READINGS
Clause 4(i), Report No. 100, 1979
Proposed No. 79-217

(10) A By-Law to Amend By-Law No. 9246 "A By-Law to Authorize the Borrowing of $120,000.00 Upon Debentures Towards the Cost of Purchasing a new King Deluxe Fifty Foot Telesquirt Pumper"(Amend Interest Rate).

FIRST & SECOND READINGS
Clause 4(j), Report No. 100, 1979
Proposed No. 79-218

(11) A By-Law to Authorize the Borrowing Upon Debentures of the Sum of $16,329.43 for Construction of a Storm Sewer and Outlet Ditch in the Parkway

FIRST & SECOND READINGS
Clause 4(k), Report No. 100, 1979
Proposed No. 79-219

(12) A By-Law to Authorize the Borrowing Upon Debentures of the sum of $11,131.32 for the Construction of a Watermain in Queen Mary Road.

FIRST & SECOND READINGS
Clause 4(l), Report No. 100, 1979
Proposed No. 79-220

(13) A By-Law to Authorize the Borrowing Upon Debentures of the sum of $92,504.00 for Improvements at Norman Rogers Airport

FIRST & SECOND READINGS
Clause 4(m), Report No. 100, 1979
Proposed No. 79-221

(14) A By-Law to Authorize the Borrowing Upon Debentures of the sum of $150,000.00 for Improvements, Alterations and Extensions of the Water System of the City of Kingston.

FIRST & SECOND READINGS
Clause 4(n), Report No. 100, 1979
Proposed No. 79-222

(15) A By-Law to Consolidate Certain By-Laws and to Provide for the Issue of one Series of Debentures in the Amount of $1,661,000.00 in Canadian Funds.

FIRST & SECOND READINGS
Clause 4(o), Report No. 100, 1979
Proposed No. 79-223

BYLAWS (Cont'd)

(16) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk 2.44 m wide in (1) Ontario Street from Clarence Street to Johnson Street and in (2) Johnson Street, north side, from Ontario Street, easterly 4.27 m under the Provisions of Section 7 of The Local Improvement Act (Petition)

FIRST AND SECOND READINGS
Clause 2, Report No. 100, 1979
Proposed No. 79-224

(17) A By-Law to Authorize the Reconstruction of the Pavement 10.67 m wide in Bagot Street from Johnson Street to Brock Street under the Provisions of Section 7 of The Local Improvement Act (Petition)

FIRST AND SECOND READINGS
Clause 3, Report No. 100, 1979
Proposed No. 79-225

(18) A By-Law to Authorize the Execution of an Agreement with Barbara Pusch, Bruce Antliff and the Canadian Imperial Bank of Commerce. (Ontario Heritage Easement - 9 Kennedy Street)

FIRST & SECOND READINGS
Clause 5, Report No. 99, 1979
Proposed No. 79-226

(19) A By-Law to amend By-Law No. 24, "A By-Law Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act (Clause 11, Report No. 100)

THREE READINGS
Clause 11, Report No. 100, 1979
Proposed No. 79-227

(Note: Approval of Ministry of Transportation and Communication not required.)

(20) A By-Law to Confirm the Proceedings of Council at its meeting held on October 1st 1979.

THREE READINGS
City Council Meeting No. 38, 1979
Proposed No. 79-228

(21) A By-Law to Authorize the Construction of a Storm Sewer in Dorance Street from Victoria Street easterly 77.77 m and Including Non-Abutting, Equally Benefited, Frontage from 77.77 m East of Victoria Street easterly 3.05 m Under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING
Clause 6(i), Report No. 74, 1979
Proposed No. 79-151

CITY COUNCIL MEETING NO. 39

The regular meeting of City Council will be held on Tuesday, October 9, 1979 commencing with an "In Camera" session from 7:00 p.m. to 7:30 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 7:30 p.m.

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
OCT 29 1979

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" the acquisition of 138 Rideau Street and 106 Rideau Street with Deputy Mayor J. Gerretsen in the Chair.

(Note: A copy of the report of the Chief Administrative Officer was distributed to all members of Council on September 28, 1979)

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

(Council Chamber)

PRESENTATIONS

Long Service Bars - Fire Department -

Fire Fighter - L. Begg - 35 years - Service Bar

Motor Mechanic - A. Law - 35 years - Service Bar

Deputy Chief - H.C. Sharman - 35 years - Service Bar

Inspector H.M. Campbell - 25 years - Service Bar

Assistant Deputy Chief - G. Fairbanks - 25 year Service Bar

MINUTES

That the Minutes of Meeting No. 37 held on September 24, 1979 be confirmed.

COMMUNICATIONS

To be Filed

(592) From the Ministry of Intergovernmental Affairs acknowledging receipt of the City's letter in which the Minister of Intergovernmental Affairs, Honourable T.L. Wells, was informed that the City of Kingston did not endorse the City of Chatham's resolution concerning Bill 124 re amendment to the Municipal Act. (Report 81 (2) 79)

File No. 19-7

COMMUNICATIONS (Cont'd)

Has Been Referred to Traffic, Streets & Parking Administrator

(593) A copy of a letter to the Townships of Ernestown, Kingston and Pittsburgh from the Kingston Area Planning Board stating the following concerns and requesting the City's comments:

1) Is the practice of giving dead end streets adjacent to straight streets the same name but differentiating it only by calling it a Place or Court, acceptable? E.g., Smith Place could be a cul-de-sac adjacent to Smith Street.

2) Should similar sounding street names be rejected even if they are not strict duplications. E.g., Rosemount and Rosemund.

3) Should there be a uniform practice throughout the Kingston Planning Area with respect to the various types of street, e.g., street, avenue, road, crescent, place, boulevard, drive, way, lane, (it has been observed that cul-de-sacs are sometimes called Places and at other times Crescents) and if so, should an attempt be made to have all existing street names brought into line with a uniform practice.

File No. 20-7

To be Referred to the Traffic, Streets & Parking Administrator

(594) From the Ministry of Agriculture and Food forwarding a copy of the recently amended Dog Licensing and Live Stock and Poultry Protection Act together with a copy of the new Regulation which provides for a revision in the maximum awards payable under the Act for compensation for killed or injured livestock. Both the amended Act and the new Regulation became effective September 15, 1979.

File No. 2-1.3-1

To be Filed

(595) Copy of a letter to the Association of Women Electors of Kingston Area from Mr. R.H. Watson, Environmental Officer, Municipal and Private Abatement responding to their letter of September 12, 1979 with regard to the Davis Tannery.
(Note: Copy of above letter was distributed to all members of Council with the agenda)

File No. 25-2.19-14

(596) From the Ministry of Housing thanking the City for responding to the Annual Housing Review 1980 and advising that the Ministry Project Co-ordinator will be contacting the City to continue the dialogue which was initiated by returning the Annual Housing Review.

File No. 8-3.9

To be Filed

(597) From the Association of Municipalities of Ontario with regard to major fiscal arrangements with municipalities and advising that earlier in the year, the Minister of Intergovernmental Affairs, the Honourable Thomas Wells, agreed with the Association's recommendation for the establishment of a provincial-municipal committee to formulate new long-term financial arrangements. The formula accepted by Mr. Wells took into account provincial and municipal needs, but the government refused to endorse the joint proposal. At AMO's Outgoing Board of Directors meeting held in August, 1979, it was decided that if the government did not agree to support the said agreement, the Association saw little value in continuing its participation in the Provincial/Municipal Liaison Committee (PMLC) process.

The AMO wishes to emphasize that their lines of communication are still open with the provincial government, but they will not be active in the PMLC.

File No. 1-5

(598) From the Honourable Keith Norton thanking the City for the copy of the City of Kitchener's resolution concerning Provincial Fuel Tax for Municipal Transit Systems, which Kingston did not endorse. (Report 94 (15) 79).

File No. 19-7

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports with Deputy Mayor J. Gerretsen in the chair.

REPORTS

That Report No. 101 of the Chief Administrative Officer be received and considered.

REPORT NO. 101

October 9, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. WHEREAS the Kingston Jaycees have requested that the lease of premises by them at 53 Yonge Street, Portsmouth Olympic Harbour be terminated as it is believed that the rental expense is not justified from a public point of view and that the majority of their funds are derived through public donations;

   THEREFORE BE IT RESOLVED that as recommended by the Commissioner of Parks, Recreation and Property, the lease with the Kingston Jaycees be terminated effective October 31st 1979 and that other tenants of the site be notified of the vacancy and if no response, the space be advertised immediately.

   (Note: A copy of the report of the Commissioner of Parks, Recreation and Property is attached hereto as Schedule "A", 5 Pages.)

2. WHEREAS the City Treasurer has notified that under present legislation, Section 389a (1) of The Municipal Act, R.S.O., 1970, as amended, provides authority for a municipality to determine remuneration paid to members of Council serving on Boards and it is his believe that this authority should remain with the elected bodies i.e. councils;

   THEREFORE BE IT RESOLVED that the following resolution of the City of Guelph BE NOT ENDORSED:

   "THAT this Council recommend to the Executive of the Association of Municipalities of Ontario that representation be made to the Minister of Intergovernmental Affairs, recommending that Section 389a (1) of The Municipal Act, as re-enacted by Ontario Statutes 1978, Chapter 23, Section 22, be repealed for the following reasons:

   1. Local Councils policies on payment of remuneration to persons it appoints to Local Boards may differ substantially and indeed conflict with such policies prescribed by other Member Municipalities and with such policies prescribed by the Local Boards.

   2. Local Boards with membership from more than one Municipality should, as a matter of good business practice, have the right and responsibility to determine a fair and equitable remuneration policy as approved by the majority of its members."

3. WHEREAS, the City's tax arrears are greater during 1979 than in the preceding two years;

   AND WHEREAS the percentage differential between 1978 and 1979 has been increasing in recent months due to the increase in the bank borrowing rate with the most recent increase in the bank prime rate to 13% and thus most businesses must pay at least 15% at the bank for their money;

   AND WHEREAS the City's penalty on taxes is only 1% per month (12% per annum) which is not compounded and thus it is to the business

3. (cont'd).

advantage to avoid paying their tax and use this money for working capital;

AND WHEREAS the Province amended the legislation this year to permit municipalities to charge 1¼% per month interest (15% per annum);

AND WHEREAS an analysis of tax arrears shows that 84% of the tax arrears owing are by people who own more than one property or are in business;

THEREFORE BE IT RESOLVED that as recommended by the City Treasurer, By-Law No. 6, "A By-Law Respecting the Payment of Taxes", be amended to increase the penalty and interest on taxes from 1% per month to 1¼% per month effective December 1st 1979.

(Note: A copy of the reports of the City Treasurer and the Chief Administrative Officer are attached hereto as Schedule "B", 3 Pages.)

(See By-Law No. 1: No. 79-229)

4. WHEREAS the present City of Kingston by-law allows a discount of 8% per annum on tax pre-payments and this rate is unrealistic under current economic conditions;

AND WHEREAS Provincial legislation has been amended to allow up to 12% per annum discount;

AND WHEREAS if the present by-law is not changed, the City will be unable to sell pre-payment certificiates under present economic conditions;

THEREFORE BE IT RESOLVED that as recommended by the City Treasurer, a By-Law be presented to Council to amend By-Law No. 99, "A By-Law to Authorize the Treasurer to Receive Advance Payment of Taxes to Allow a Discount Thereon" to authorize the City Treasurer to allow a discount on prepayment of taxes of up to 12% per annum.

(Note: A copy of the reports of the City Treasurer and the Chief Administrative Officer are attached hereto as Schedule C, 2 Pages.)

(See By-Law No. 2: No. 79-230)

5. WHEREAS the Senior Citizens Council has requested that City Council appoint one elected and one appointed official to the Council;

AND WHEREAS Alderman J. Hawkins has volunteered to represent City Council and Mr. S. Routbard, Administrator of Social Services has volunteered Mrs. S. Cameron, Assistant Administrator of Social Services to represent the appointed staff;

THEREFORE BE IT RESOLVED that Alderman J. Hawkins and Mrs. S. Cameron be appointed to the Senior Citizens Council for a period ending November 30th 1980.

6. That, By-Law No. 10 be amended to provide that permission be granted to the Hadassah Auxiliary to erect a banner across Princess Street between Montreal and Sydenham Streets, for the period October 24th-November 8th, 1979, to advertise the Hadassah Auxiliary Bazaar on November 7th 1979.

   (NOTE: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule D", 2 Pages.)

   (See By-Law 4: No. 79-232)

7. That, as recommended by the Administrator of Traffic, Streets and Parking:

   a) No action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

   b) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

   c) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid for by resident users through a monthly charge.

   (Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached as Schedule E', 6 Pages.)

8. The following recommendation of the City of Kingston Planning Board was TABLED at the meeting of City Council held on October 1st 1979 until this meeting and the City Solicitor was requested to consider the recommendation and the letter from Trumpour and Kennedy, Barristers & Solicitors, on behalf of Mr. John L. Smith and report to Council:

"WHEREAS an application by Mr.J. L. Smith to the Cataraqui Region Conservation Authority to place fill in an area south of the CNR and west of Princess Street has been referred to the City of Kingston for comments; and

WHEREAS a portion of the subject area is designated Hazard Lands on Schedule A1 (Land Use and Major Streets) to the City's Official Plan; and

WHEREAS Section 2 (16) of the Plan defines Hazard Lands as "lands having inherent environmental hazards, such as poor drainage, organic soils, flood susceptibility, erosion, steep slopes or any other physical condition which leads to the deterioration or degradation of the environment" and provides for the following permitted uses:

'Lands so designated are intended primarily for preservation and conservation of the natural land and/or environment. Such uses as agriculture, outdoor recreation, nursery gardening, shall be permitted. In addition, public or private parks or other outdoor recreation functions such as golf courses, shall also be permitted. The permitted uses, other than preservation and conservation, shall only be allowed where they do not aggravate the hazard"; and

WHEREAS the plan also provides for the possible conversion of Hazard

8. (cont'd).

Lands to other uses through the following policy (Section 1(11);'

'WHERE land designated Hazard Lands is under private ownership, this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or will be purchased by the municipality or other public agency. An application for the redesignation of Hazard Lands for other purposes may be given due consideration by the municipality after taking into account:

A. *the existing environmental and/or physical hazards;*

B. *the potential impacts of these hazards; and*

C. *the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.*

There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome.'; and

WHEREAS these Hazard Land policies in the City's Official Plan were initially recommended for adoption by the Provincial Government as a means of instituting an effective form of flood plain management involving the close co-operation of the City of Kingston and the Cataraqui Region Conservation Authority as the two principal public bodies with the Authority to exercise control over land use in this sensitive area; and

WHEREAS Cataraqui Region Conservation Authority's initial formal commitment to this co-ordinating process occurred on October 3, 1973, at which time the Executive Committee adopted a General Policy for granting fill permits in the Little Cataraqui Creek Watershed which, among other matters, stated 'That all fill permits will be consistent with the Official Plan'; and

from 14 feet

WHEREAS in turn, the Hazard Landsin the City's Official Plan are coincident with the lands below the flood line as defined by the Cataraqui Region Conservation Authority; and

WHEREAS the practical effect of this co-ordinating process insures that the shared objective of instituting comprehensive flood plain management within the Hazard Land area, is not comprised by the unilateral action of either public body involved; and

WHEREAS by ~~requiring~~ requesting prior ~~approval~~ comment ~~comment~~ from a Municipality for a proposal to fill and/or develop in a designated Hazard Land area, the public is afforded an opportunity to employ the broader powers of a municipality (through the Planning Act) to effect comprehensive flood plain management techniques which would include such essential components as:

a) *a detailed concept (land use) plan showing how the proposal will be physically integrated with its environs, natural or otherwise (a conventional requirement for all proposals to amend the Official Plan).*

b) *a comprehensive environmental impact analysis, extending to pertinent matters beyond flood control (see Section 1 (110) of the Official Plan).*

c) *the legislated right of a municipality to control land use (in the Planning Act) and thereby deny or alter the proposal if it doesn't comply with the public interest in such a development.*

d) *the opportunity for the public to obtain its principal stated objective of achieving the 'preservation and conservation of the natural land and/or environment' (Section 2 (16) by acquiring Hazard Lands in their natural state and at a value which reflects that state; and*

8. (cont'd).

WHEREAS if, on the other hand, fill permit applications in the Hazard Land areas in general are, or can be issued without requiring the prior review and approval of the municipality as previously described, then the co-ordinated program to institute comprehensive flood plain management in Hazard Land areas becomes ineffective and all Hazard Lands obtain an implicit land value equal to that of other developable land in the City less the simple cost of overcoming only one environmental concern (by employing compensatory 'cut and fill' techniques) ; and

WHEREAS if the current application is approved and filling takes place then the City's objective of preserving and conserving the natural land and/or environment, in this instance, is no longer achievable and the City will have to redesignate it to another land use category, which under normal circumstances have to presume some form of urban development; and

WHEREAS if the City, on the other hand, acts to purchase the subject land in order to achieve its Official Plan objectives after a fill permit is issued (but before filling takes place) the City will have to pay for the value of the land as enhanced by the presence of the valid fill permit and its implications described above; and

WHEREAS these ramifications of issuing fill permits in Hazard Land areas without the prior approval of the affected municipality are extremely serious and not in the public's interest;

THEREFORE BE IT RESOLVED that Council recommend to the Cataraqui Region Conservation Authority that the subject application by Mr. J. L. Smith be refused.".

(Note: A copy of the report from the City Solicitor has been distributed separately as Schedule F to each member of Council with the Agenda)
The last day for submission of comments to the Cataraqui Region Conservation Authority is October 11th 1979.)

9. That, as recommended by the Administrator of Traffic, Streets and Parking the following resolution of the Borough of Scarborough BE ENDORSED:

"That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs.".

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "G", 4 pages)

10. WHEREAS it has been concluded that the problems surrounding the existing fuel handling facilities located between Pad No. 2 and the apron at Norman Rogers Airport will not be resolved without financial participation by the City; and

WHEREAS Kingston Air Services have agreed to participate on a 50/50 cost sharing basis with the City for removal of the AV gas pumps, with their cost not to exceed $3,000; and

WHEREAS Torontair have agreed to participate on a 50/50 cost sharing basis with the City for the relocation of the Jet A1 pump and breather pipes;

THEREFORE BE IT RESOLVED THAT as recommended by the Chief Administrative Officer the City financially participate with Kingston Air Services and Torontair in relocation of the fuel handling facilities and breather pipes located between Pad

10. (cont'd).

No. 2 and the apron at Norman Rogers Airport as set out in the report of the Commissioner of Industries and Airport Administrator and that authorization be given to the expenditure of up to $4,350.00 for this work to be finished as quickly as possible in 1979 it being noted that the City Treasurer has agreed that the above amount could be absorbed in the Airport Budget for 1979.

(Note; A copy of the Reports of the Chief Administrative Officer and the Commissioner of Industries and Airport Administrator is attached as Schedule " A ", 8 pages)

11. That as recommended by Mayor Keyes, the City provide a meeting room, secretarial assistance and luncheon for the organizational meeting for the Research and Demonstration Project entitled "Heritage Creative Crafts" for Wednesday, October 10th 1979, as a project to assist persons who are receiving social assistance.

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

Schedule "A" to Report No. 101
(Page 1)

OCT 3 1979

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DATE: October 1, 1979.

SUBJECT: LEASE - KINGSTON JAYCEES - PORTSMOUTH OLYMPIC SITE

ORIGIN: Request from Kingston Jaycees to be released from their lease at Portsmouth Olympic Harbour building (see attached letter).

ANALYSIS: This request does not present too much trouble for our operational tasks. The site seems to be reasonably easy to rent and our loss for 1979 would amount to $150.00 if we didn't get an immediate replacement.

ALTERNATIVE: Hold them to their lease, which does not seem right and/or ask them to stay on until the end of our fiscal year.

FINANCIAL CONSIDERATIONS: Loss of rent for 1979 of approximately $150.00, which could be offset with a new tenant.

RECOMMENDATION: Release this service club from its lease obligations, as requested; inform other tenants of the site about the vacancy, and if no response, advertise space immediately.

Douglas R. Fluhrer,
Commissioner.

DRF/sw
Attach.

Schedule "A" to Report No. 101
(Page 2)

MMISSIONER
UGLAS R. FLUHRER

CORPORATION OF THE
CITY OF KINGSTON
DEPARTMENT
OF
PARKS & RECREATION

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3

October 1, 1979.

Mr. R. T. Emerson,
President,
Kingston Jaycees Inc.,
Portsmouth Olympic Harbour,
53 Yonge Street,
Kingston, Ontario.

Dear Sir:

Re: Lease - 53 Yonge Street

This acknowledges receipt of your letter dated September 5th, 1979, and received September 28th, 1979, regarding the above.

I sympathize with your situation and am sorry your well intentioned plans did not work out.

I will recommend to the Chief Administrative Officer, and through him to Council, that you be released from the lease obligations as of October 31st, 1979.

We continue to enjoy our association with you and your organization and appreciate the good work done by the Kingston Jaycees.

Yours truly,

Douglas R. Fluhrer,
Commissioner.

DRF/s

c.c. R. J. Hamilton, C.A.O. w/attach.
Lee Shipp w/attach.

Schedule "A" to Report No. 101
(Page 3)

kingston jaycees inc.

CHARTER MEMBER 1947
JUNIOR CHAMBER INTERNATIONAL

PORTSMOUTH OLYMPIC HARBOUR
53 YONGE ST.
KINGSTON, ONTARIO
K7M 8G4
TELEPHONE: 542-3454

adership
raining

mmunity
terment

nadianism

Civic
ponsibility

llowship

September 5, 1979

Dear Sir,

In reference to our previous telephone conversation, please accept this letter as notice to terminate our lease at 53 Yonge St., Portsmouth Olympic Harbour, as of October 31,1979.

As previously discussed, our desire to terminate the lease is based on the fact that we feel the rental expense is not justified from a public point of view.

Considering that the majority of our funds are derived through public donations, I am sure you can agree with us.

Sincerely,

R.T. Emerson, President

Treasurer

SCHEDULE "A" TO REPORT NO. 107 (Page 4)

THIS INDENTURE made the 22nd day of November, 1976, as amended the 8th day of December, 1976.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "Lessor")

OF THE FIRST PART

- and -

THE KINGSTON JAYCEES
(hereinafter called the "Lessee")

OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee to be paid, observed and performed, the Lessor hath demised and leased and by these presents doth demise and lease until the Lessee two hundred and forty-seven (247) square feet of office space, in the building known as the Portsmouth Olympic Harbour Park building, in the City of Kingston in the Province of Ontario, as shown on the attached Schedule "A";

TO HAVE AND TO HOLD the said demised premises for the term of five years, to be computed from the first day of January, 1977, and from thenceforth next ensuring and fully to be complete and ended;

YIELDING AND PAYING therefor until the said Lessor commencing January 1st, 1977, the sum of Eight Hundred and Sixty-Four Dollars and Fifty Cents ($864.50) annually, calculated at $3.50 per square foot, inclusive of heat, light and water payable in advance in twelve equal post-dated cheques at the beginning of each and every calendar month during the term of this lease. The annual rental rate shall be adjusted by the same percentage change as the change in Consumer Price Index of Statistics Canada between January 1st, 1977 and January 1st, 1978 and every twelve months consecutively thereafter until the completion of this lease and any extension thereof.

THE SAID LESSEE COVENANTS AND AGREES WITH THE SAID LESSOR AS FOLLOWS:

1. That it will pay the rent reserved at the time or respective times hereinbefore limited for the payment thereof without any deduction whatsoever;

2. That it will not, during the continueance of this Lease, transfer, assign or sublet the said premises;

3. That, having inspected the appurtenances thereto belonging, accepts the said premises and appurtences in their present condition and state of repair;

4. That the monthly payment calculated at $3.50 per square foot per year includes heat, light and water.

5. That at its own risk and expense, it will carry out all repairs and maintenance necessary to place and maintain the premises and appurtences thereto belonging and all equipment therein in proper working condition sufficient for its purpose and that at no time during the currency of this Lease shall the Lessor be called upon to repair, maintain or replace any part of the premises demised herein, or the appurtenances belonging thereo; and the Lessor shall not be liable for any personal injury or property damage, however arising, in connection with the use or occupancy of the said land and premises;

6. That the Lessee does hereby covenant and agree for itself, its heirs, executors and assigns, to indemnify and keep indemnified the Lessor against all actions, suits, claims and demands which may be brought or made against the Lessor and against all loss, costs, damages, charges or expenses whatever which may be sustained, incurred or paid by the Lessor in consequence of the above mentioned Lease.

The Lessor covenants and agrees with the Lessee that upon the Lessee paying the rents and performing the covenants herein contained on the part of the Lessee to be paid and performed, the Lessee shall and may peaceably and quietly enjoy, the said premises without molestation, hindrance or disturbance from or by the Lessor or any person or persons claiming through or under it;

7. To take out, pay for and keep in force and file with the Lessor a policy of insurance which shall cover bodily injury liability and property damage liability for the area leased and for the users of the area arising from the use or occupancy of the demised premises in the amount of $500,000.00 and in a form satisfactory to the City Solicitor.

IT IS UNDERSTOOD AND AGREED:

(1) That the Lessee will pay for any alterations needed to suit the space for its occupancy, that it will provide to the Lessor details of all alterations proposed and withhold commencement of any work until the written consent of the Lessor is obtained, that all such alterations to the said premises shall be maintained by and at the sole cost of the Lessee, to the satisfaction of the Lesser and that all permanent improvements made by the Lessee shall become the proeprty of the Lessor or vacating the premises without payment of penalty;

(2) That the Lessor or its duly authorized agent, upon suitable notice and at reasonable times, shall be permitted to enter and examine the state of repair of the premises;
(3) That the premises shall be used solely as offices and for purposes incidential thereto;
(4) That the Lessee will pay for caretaking services.

IT IS MUTUALLY AGREED that if the said premises hereby leased are at any time during the said term wholly or partially destroyed by fire or otherwise so as to render them untenantable, the rent shall forthwith become payable up to the time of such destruction and the term hereby created shall forthwith terminate, but if the premises are only partially destroyed, the term shall not terminate if the Lessee agrees in writing to the continuance thereof and the Lessor forthwith repairs and makes the premises fit for the purpose of the Lessee, but the rent reserved up to the time of the said destruction shall forthwith be payable by the Lessee and the proportionate part of the rent reserved shall abate until the premises have been made fit for the purpose of the Lessee;

AND IT IS HEREBY AGREED between the parties hereto that should the Lessee remain in possession of the said premises after the termination of the term hereby granted, without other special agreement, it shall be as a monthly tenant only, at the 1982 rental, with the monthly rental rate adjusted by the same percentage change as the change in the Consumer Price Index of Statistics Canada on December 1st 1981 and every twelve months consecutively thereafter until the completion of this lease and any extension thereof.

IT IS FURTHER MUTUALLY AGREED that in case the rent reserved or any part thereof is in arrears for the space of one calendar month or in case default is made in the fulfillment of any covenants on the part of the Lessee, whether express or implied, and is continued for the space of one calendar month, the Lessor may enter upon and take possession of the demised premises or any part thereof in the name of the whole and the same repossess and enjoy as of its former estate and the term hereby granted shall thereupon cease and determine;

THAT these presents and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

THE CORPORATION OF THE CITY OF KINGSTON

Signed, Sealed and Delivered
In the Presence of

________________________ Mayor

________________________ Clerk-Comptroller

THE KINGSTON JAYCEES

Schedule "B" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

FFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 21-3 . 2

October 2, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: PENALTY ON TAX ARREARS

We are forwarding herewith a request by the City Treasurer, to increase the Penalty provision from 12% to 15% in order to attempt to offset the fact that people prefer to not pay their taxes rather than borrow from the Bank at 15%.

Council will recall that our current arrears is relatively high and has been in the increase in 1978 and 1979 which suggests that if the City wishes to offset this situation we must increase the penalty.

The value of tax arrears on our annual financial statement is some concern and primarily to purchasers of our Bonds.

We therefore would concur with the recommendation at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "B" to Report No. 101
(Page 2)

OCT 1 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

DATE: October 1, 1979

RE: Penalty on Tax Arrears

ORIGIN: City Treasurer

ANALYSIS: Citys' tax arrears during 1979 are greater than in the preceding two years as follows:

	Per Capita Arrears		
	1979	1978	1977
May	$71.51	$60.31	$52.17
June	58.75	47.12	41.95
July	50.78	41.04	35.34
August	44.13	33.79	31.67

The percentage differential between 1978 and 1979 has been increasing in recent months due to the increase in the bank borrowing rate. With the most recent increase in the bank prime rate to 13%, businesses must pay at lease 15% at the bank for their money. Since the City's penalty on taxes is only 1% per month (12% per annum) which is not compounded, it is to the businesses advantage to avoid paying their tax and use this money for working capital.

The Province amended the legislation this year to permit municipalities to charge 1 1/4% per month interest (15% per annum). The present penalty of 1% per month has been in effect for 23 years and was quite adequate when the bank borrowing rates were considerably lower than our penalty charge.

. . . . ./2

TO: R. J. Hamilton October 1, 1979

The following is an alysis of tax arrears which shows that 84% of the tax arrears owing are by people who own more than one property or are in business.

	Number of Owners or Businesses	Dollar Arrears	% Of Arrears
Owner Occupied	638	$425,661.	16
Business, Commerce & Owners of Multiple Properties	1,299	2,221,188.	84
	1,937	$2,646,849.	100%

ALTERNATIVE: If the penalty on taxes is not increased and the trend of arrears continues to rise, the city's cost of borrowing long term funds can be affected since one of the main criteria used by the bond dealers in evaluating a municipalities ability to repay the debt is the tax arrears. If this results then the local taxpayer will have to assume the extra cost for debt charges.

RECOMMENDATION: That by-law 6 be amended to increase the penalty and interest on taxes from 1% per month to 1 1/4% per month effective December 1, 1979.

Schedule "B" to Report No. 101
(Page 3)

TO: R. J. Hamilton October 1, 1979

The following is an alysis of tax arrears which shows that 84% of the tax arrears owing are by people who own more than one property or are in business.

	Number of Owners or Businesses	Dollar Arrears	% Of Arrears
Owner Occupied	638	$425,661.	16
Business, Commerce & Owners of Multiple Properties	1,299	2,221,188.	84
	1,937	$2,646,849.	100%

ALTERNATIVE: If the penalty on taxes is not increased and the trend of arrears continues to rise, the city's cost of borrowing long term funds can be affected since one of the main criteria used by the bond dealers in evaluating a municipalities ability to repay the debt is the tax arrears. If this results then the local taxpayer will have to assume the extra cost for debt charges.

RECOMMENDATION: That by-law 6 be amended to increase the penalty and interest on taxes from 1% per month to 1 1/4% per month effective December 1, 1979.

Schedule "C" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 21-3.2

October 2, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: TAX PREPAYMENT CERTIFICATES

Members of Council must be aware, that if Mr. Cousens, City Treasurer, is to compete with the existing rates presently paid by the Banks for deposits etc. it goes without saying, the City will have to allow a greater discount than the existing 8%.

Council will note that the present prime rate is 13% and the amounts paid on True Savings Accounts have increased substantially in the last few months.

We would therefore concur with the recommendation as set out by Mr. Cousens in this regard.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "C" to Report No. 101
(Page 2)

OCT 1 1979

CORPORATION OF THE
CITY OF KINGSTON

FFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

DATE: October 1, 1979

RE: Tax Prepayment Certificates

ORIGIN: City Treasurer

ANALYSIS: Present by-law allowing discount on tax pre-payments allows maximum of 8% per annum discount. This rate is unrealistic under current economic conditions. Provincial legislation has been amended to allow up to 12% per annum discount.

ALTERNATIVE: If by-law is not changed, city will be unable to sell pre-payment certificates under present economic conditions.

EXISTING POLICY : Accept pre-payment of taxes to finance city until taxes are due.

FINANCIAL CONSIDERATIONS: Pre-payments received in 1977 under good economic conditions amounted to $1,245,364. During 1978 even at 8% we sold $1,082,857. With the changes in economic conditions at the present time, it is necessary to change the by-law, noting that the present bank prime rate is 13%.

RECOMMENDATION: That a by-law be presented to Council to amend by-law 99 to authorize the City Treasurer to allow a discount on prepayment of taxes of up to 12% per annum.

B G Cousens

Schedule "D" to Report No. 101
(Page 1)

EPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

ROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

ATE: October 3rd, 1979.

UBJECT Banner - Princess Street

RIGIN Request from the Hadassah Auxiliary to erect a banner across Princess Street between Montreal and Sydenham Streets, for the period October 24th to November 8th, 1979.

NALYSIS

1) The purpose of the banner is to advertise the Hadassah Anxiliary Bazaar, to be held on November 7th, 1979.

2) City Council has, in past years, granted permission to erect a banner to advertise this annual event.

ECOMMENDATION That, notwithstanding the provisions of By-law 10, permission be granted to the Hadassah Auxiliary to erect a banner across Princess Street between Montreal and Sydenham Streets, for the period October 24th to November 8th, 1979, to advertise the Hadassah Auxiliary Bazaar on November 7th, 1979.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

HADASSAH - AUXILIARY

sther Hadassah Kingston, Ontario Beth Israel Auxiliary

BAZAAR

63 Gibson Avenue,
Kingston, Ontario.
K7L,4R1
546-1576.

Mr. K. Linseman, Administrator,
Traffic & Streets,
City Hall,
Kingston, Ontario.

Dear Mr. Linseman:

Pursuant to our recent telephone conversation, regarding placement of the banner advertising the Hadassah -Auxiliary Bazaar, I am writing to obtain your permission forthe banner to be attached to the Grand Theatre and to the Esco buildings.

I have been in touch with Mr. Shurtliff of the Public Utilities, who sees no objection, as well as with Mr. Esco and a lady from the Grand Theatre, who informed me that their banner will be down by Octobe r 14.

We would appreciate having our banner in place for two weeks prior to bazaar date, November 7th, Beginning Wednesday, October 24.

Please aceept our thanks for your interest and support.

Sincerely yours,

Diana Abramsky

Diana Abramsky

Publicity

Schedule "E" to Report No. 101
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator,
Traffic, Streets and Parking Department.

DATE: September 28th, 1979.

SUBJECT Proposed Parking Permits for Single and Two-Family Residential Streets, to Exempt Residents from No Parking Regulations on Their own Block Between April 1st and November 30th Annually

ORIGIN Council resolution for report (attached).

ANALYSIS

1) It should be pointed out that at the request of Alderman Miller and agreed upon by Alderman Knapp, this report was deferred.

2) The period suggested for the permit system is when cars are allowed to park overnight on the streets. The Traffic Department has received very few complaints from residents between April 1st and November 30th in the past twenty years.

3) If a resident can find a parking space off-street for four months of the year, that is, between December 1st and April 1st, then surely the resident can find satisfactory parking during the other eight months when street parking is permitted.

4) It would be very difficult not to provide parking stickers to tenants who do not have off-street parking available, if other residents in the area were provided a parking permit.

5) The motion of Alderman Knapp and Alderman Miller would not help Sydenham Ward because the area between Queen's University and the downtown area is basically Zone B, three to six family apartments.

6) Due to a narrow width, many streets have parking prohibited all day on one side. Permitting residents to park in these no parking areas by means of a parking permit could cause serious traffic problems; for example, Brock St. or Johnson St. Permitting residents only with permits to park in no parking areas would cut the capacity of Brock St. and Johnson St. by fifty percent. It does not matter how many cars, even if only one or two permit cars park, the traffic lane would be effectively blocked. Many other streets, such as Rideau St., Montreal St., King St. and Union St., would be seriously affected by such a proposed parking permit system.

7) A permit system could have an adverse effect on the public transit system which can only move as fast as the cars on the street.

Schedule "E" to Report No. 101
(Page 2)

8) A permit parking system would encourage on-street parking, which is very undesirable not only from a traffic and safety viewpoint, but from an aesthetic viewpoint. To Kingston's credit, an effort has been made not only to preserve historical buildings but also to encourage renovation of old buildings. Likewise, Kingston should make every effort to provide a pleasant streetscape relatively free from parked cars. With parking restrictions in Sydenham Ward during recent years, a vast improvement in the appearance of streets has been achieved. Many streets looked like drab parking lots prior to the parking regulations. It would be a shame to turn these pleasant residential streets into parking lots again.

9) Fundamentally, it is the responsibility of each motorist to find his own parking space. It is not the responsibility of the City or any other agency to find an on-street space for a tenant or a resident.

10) If the area of concern is the Sydenham Ward area, it is respectfully suggested that a permit system will attract more parkers and encourage the many students in the area who have rented because of the area's proximity to Queen's University to bring their cars and park on the street for a nominal amount, especially during the fall term from September to December 1st. It would also encourage the many summer sub-tenants in the area to park on the street rather than off-street. For example, there have been many instances where tenants of an apartment building with a parking lot prefer to park on the street, if permitted, because it is more convenient and more accessible.

11) If the area of concern is Sydenham Ward and one of the purposes is to encourage families to return to the area, it is also my submission that families, especially with young children, do not want to live on streets that are lined with parked cars. There is no greater danger for the children of our City than parked cars on a street. Children are carefree, and careless at times, and it is instant death if a child runs from between parked cars into the path of a vehicle. This past summer Kingston suffered the loss of a small child who ran between parked cars on Bagot St. into the path of an oncoming vehicle. If there had been no parked cars in that area of the street that child may still be alive today. Over the years other Kingston children have been killed by running between parked cars into the path of a vehicle. Parking permits encourage all day parking and, as a result, would make the Sydenham area an unsafe place for children to live and play.

Schedule "E" to Report No. 101
(Page 3)

12) If one of the concerns of Sydenham Ward is the interrupted parking regulations, it would be more feasible to relax these regulations, either to a time limit control of parking or to reduce the turnover time to once a day. For example, parking could be prohibited from 11 a.m. to 2 p.m. on one side and permitted on the other side during this time period. However, the existing regulations were implemented only after a survey of the residents and, basically, with their concurrence. Although a very few people may not be happy with the regulations, the vast majority of the residents are satisfied. No matter what the regulations are, there will never be 100% agreement with any parking regulations, even permit parking.

13) The proposed provision of exceptions to parking regulations for residents is contrary to the principle that streets are public and regulations should apply to all persons, whether residents, non-residents or visitors.

14) If permit parking is permitted, visitors and other motorists on the street may be trapped into parking becuase they see other cars parked on the street and may not examine the signs closely. The signs themselves could possibly be confusing, noting "No Parking", then noting "Permit Holders May Park". One example of where some motorists have felt trapped has been in loading zones, despite the signs stating "Trucks Only".

15) Some residents may wish a permit even though the driveway contains two parking spaces, in order to avoid moving the second car so that the first car can get out.

16) Perhaps the City should investigate developing two small off-street parking lots in Sydenham Ward in order to provide parking sites to those very few single family residents who do not have off-street parking. Some interior areas of blocks are used very inefficiently or not at all.

17) If Council should decide to provide permit parking, it should be at a rate of at least fifteen dollars per month, and preferably more, in order to discourage those residents or tenants who may find it more convenient and offer strong excuses in support of a parking sticker.

18) An on-street parking permit system may encourage some apartment owners to use their off-street parking area for building expansion or landscaping a back yard, rather than for parking.

19) A survey of other cities of our size revealed that they have not provided a parking permit system.

20) Many Sydenham Ward tenants who do not have cars have rented apartments in this area because it is convenient to walk to the downtown area, Queen's University, Kingston General Hospital, the parks and the waterfront. This natural attraction of many tenants without cars into Sydenham Ward would likely be upset. Future tenants with cars will become attracted to the area if low-cost permit parking is permitted on the street.

21) In thirty-three blocks studied south of Brock Street and east of Frontenac Street, about 4,400 people, of which 2,200 are students, live in this area. If a permit system is adopted, Kingston streets could become a parking lot for Queen's students and professors.

22) About the only recent parking complaint that I have received from Sydenham Ward residents is that professors cannot obtain a parking sticker from Queen's University because they reside too close to Queen's. I would suggest that these people obtain a permit for the Court House parking lot, where they can easily drive to and walk the remaining two blocks. They have to find an alternate site during the winter months anyway.

23) As requested, comments on Alderman Knapp's report are as follows:

(a) I concur that any resident sticker should not be issued unless the residents do not have off-street parking. However, it would be very time-consuming and very costly to check out each resident and tenant who applies for a sticker. It would be necessary to hire another employee if the proposed parking permit system is implemented at the present time. Due to financial constraints, the Parking Department has been operating with a minimum staff because Mr. Gorsline was not replaced after his retirement.

(b) The suggestion that private residences may apply for a maximum of two stickers, whereas apartment tenants cannot, might be considered discriminatory against tenants of large apartment units where a family has two or more cars.

(c) I concur that any resident sticker should not apply to trucks or commercial vehicles; however, what does one consider a van or small pickup truck which is used as the sole means of transportation by a tenant or resident who does not have an off-street parking space?

RECOMMENDATION 1) That no action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

2) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

3) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid by resident users through a monthly charge.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "E" to Report No. 101
(Page 5)

EMORANDUM

): Mr. K. G. Linseman, Traffic, Streets & Parking Administrator,

ROM: M. C. Healy, City Clerk,

ATE: May 29, 1979,

E: Parking by Residents in "No Parking" Areas on Streets Zoned for One and Two Family REsidences

---

The following Notice of Motion was presented at the regular eeting of City Council held on May 28, 1979, for consideration of Council t the next meeting to be held June 4, 1979.

In the meantime this resolution was referred to the Traffic, treets & Parking Administrator for a report thereon to the Chief Administrative Officer as soon as possible.

" Moved by Alderman Knapp,
Seconded by Alderman Miller,

That By-law No. 24 be amended to provide:

(A) That residents on one or two family residential streets be exempt from the "no parking" restrictions on their own block of a street;

(B) That for purposes of identification, and to prevent abuse, residents be issued one residency sticker at a cost to be determined by the appropriate City Department; (To cover printing & labour costs)

(C) That they be allowed to apply for a second sticker for an additional surcharge;

(D) Further, that this residency sticker expire simultaneously with the introduction of winter parking restrictions ; and

(E) Further that application for these stickers be done annually. "

MHealy

C. Healy,
ty Clerk

a

c. Mr. R. J. Hamilton, C.A.O.,
Mr. B. G. Cousens, City Treasurer,
Mr. G. G. Muirhead, Director of Planning & Urban Renewal,
Mr. N. Jackson, City Solicitor.

Schedule "E" to Report No. 101
(Page 6)

ty Clerk
f. No. 21-5

MEMORANDUM

O: Mr. K.G. Linseman, Traffic, Streets & Parking Administrator

ROM: M.C. Healy, City Clerk

ATE: June 8th, 1979

E: Parking by Residents in "No Parking" Areas on Streets Zoned for One and Two Family Residences

---

Further to my memorandum of May 29th, I wish to notify you hat Council, at its meeting held June 4th, 1979, requested that ou report on the Notice of Motion as soon as possible to the hief Administrative Officer, and that you also consider, at the equest of Alderman Knapp, the following points in connection ith your preparation of the requested report:

) The "Residency Stickers" are restricted to those dwellings that DO NOT have provision for parking such as a garage and/or driveway. The lack of such facilities is to be recorded on the application and the applicant subject to a fine for false information.

) Each dwelling may apply for a maximum of two residency stickers with the exception of apartment buildings.

) For purposes of this By-Law an apartment building shall be one that contains two or more separate dwelling units.

) Where apartment buildings exist as non-conforming uses in one and two family zone areas; and in those select cases where parking HAS NOT been provided; then each apartment unit may apply for a maximum of ONE residency sticker;

These "Residency Stickers" shall become invalid if used on trucks and/or commercial vehicles;

) Residency stickers are to be prominently displayed in the rear window of the vehicle.

M.C. Healy,
City Clerk

CH/lmh

c. Mr. R.J. Hamilton, Chief Administrative Officer
Mr. B.G. Cousens, City Treasurer
Mr. G.G. Muirhead, Director of Planning & Urban Renewal
Mr. N. Jackson, City Solicitor

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator.

DATE: October 4th, 1979.

SUBJECT Energy Rate for Street Lights

ORIGIN Resolution of the Borough of Scarborough (attached)

ANALYSIS

1) It would be desirable to reduce illumination during the early morning hours through the use of timing and dimming devices.
2) At the present time there are no devices on the market.
3) A commitment from Ontario Hydro to establish an energy rate for street lights may encourage the development of such devices.
4) The P.U.C. were contacted for comment and advise that the Commission concurs with the resolution from the Borough of Scarborough (letter attached).

RECOMMENDATION That the City of Kingston endorse the following recommendation of the Borough of Scarborough:

"That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to Municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs."

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "G" to Report No. 101
(Page 2)

J.C.
dro utility
NGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

ENG., GENERAL MANAGER
A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 09 21

Mr. K. G. Linseman, P. Eng. M.Sc.
Administrator
Traffic, Streets and Parking Department
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Linseman:

Re: The Resolution From the Borough of Scarborough
re - Energy Rate for Street Lights

The Resolution from the Borough of Scarborough was considered at the Commission Meeting on 1979 09 20.

The Commission concurred with the motion from Scarborough. No doubt the City will indicate to Ontario Hydro that Kingston is supporting the Scarborough Resolution.

Yours faithfully,

A. Bowie
Secretary Treasurer

AB:jm

J.J. Poots, A.M.C.T.
Borough Clerk

J.W. Nigh, A.M.C.T.
Deputy Borough Clerk

Borough of Scarborough

150 Borough Drive
Scarborough Ont. M1P 4N7
Refer to . S. . Sheridan. . . Telephone (416) 438-. .7288. .

CITY COUNCIL
MEETING OF:
27 AUG 1979

COMMUNICATION
No: 490

Council – To be Referred to
The Traffic, Streets & Parking
Administration

LE
19-7

File 1.831-19

August 20, 1979.

TO ALL MUNICIPALITIES IN ONTARIO
With a Population Over 50,000

Re: Street Light Energy Rate

At its meeting of August 20, 1979, the Council of the Borough of Scarborough adopted Clause 6, Report No. 18 of the Works and Transportation Committee, a copy of which is enclosed for your information.

Council requests that you endorse the following recommendations:

(1) That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to Municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs;

(2) That Ontario Municipalities with a population of 50,000 or more be requested to advise the Ontario Hydro that they support the above recommendation.

J. Poots

J. J. Poots,
Borough Clerk.

/ss
encl.

City of Kingston
RECEIVED
AUG 27 1979
DEPARTMENT OF
THE CITY CLERK

BOROUGH OF SCARBOROUGH

Clerk's Department

ndation embodied in Report No. 18 of the Works and Transportation Committee

by Council at its meeting held on August 20, 1979

6. Street Light Energy Rate

Committee received the following report (August 1, 1979) of the Director of Transportation, viz:

"At the June 28th meeting of Works and Transportation Committee, we were directed to report and recommend methods by which electric energy may be conserved, including the feasibility of adjusting the photo electric control system to reduce power consumption.

Currently the rate charged to the Borough by the Scarborough Public Utilities Commission is established on a province wide scale which is established by the Ontario Hydro and varies by connected load. We can only influence the cost of lighting by adjusting the number of units installed or the wattage consumed. The cost of energy for street lights is estimated to be $804,000 for 1979.

We have already reduced our energy consumption and our energy cost through the conversion of incandescent lamps to mercury vapour. By this action the level of illumination has also been improved, for example, in January 1978 our connected load was 7808 kilowatts at a monthly cost of $63,456. In January 1979 our connected load was 6801 kilowatts at a monthly cost of $63,250. In other words we have held the line on cost and reduced our energy consumption while at the same time the plant was increased because of new residential and industrial areas and in addition the cost of power increased substantially.

It may be possible to further reduce our consumption by reducing the illumination during early morning hours through the use of timing and dimming devices, however, there appears to be a substantial cost attached to such a program including increased maintenance costs. We are advised by the Scarborough Public Utilities Commission that no provision has been made in the province wide rate structure to reduce energy rates to those municipalities that embark on energy saving practises, such as timing and dimming devices, that reduce power consumption in low pedestrian/traffic time periods.

We are presently evaluating the costs and the effect of reducing illumination during early morning hours. Although this will save energy, there is little or no cost benefit to such a scheme until a rate adjustment is available.

Recommendation:

1. That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs.

2. That Ontario Municipalities with a population of 50,000 or more be requested to advise the Ontario Hydro that they support the above recommendation."

COMMITTEE RECOMMENDS adoption of the foregoing report of the Director of Transportation.

Schedule "H" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
FICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

October 4, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: FUEL HANDLING FACILITIES - PAD NO. 2

We have been meeting with Mr. David Sly of Kingston Air Services and with Mr. Ian McCuaig, Vice-President and Mr. Bill Worthy, Resident Manager of Torontair to discuss the best possible method of moving the Fuel handling facilities from Pad No. 2 at our airport.

The City, through Mr. Jackson's office, are very anxious to sign a proper lease with Torontair, however, the fuel handling facilities must be dealt with before this lease can be finalized. The attached letter from Mr. Stevens dated September 20, 1979, sets out the problems of fuel handling that concerns Torontair.

Throughout our discussion, all three parties were very reluctant to participate in any cost sharing for the removal of the facilities. It was felt that we should all share in the cost based on the benefit to be received in order to resolve this situation.

In dealing with Mr. David Sly, it was felt that both he and the City were the chief beneficiaries from the gas handling facility. Mr. Sly earns revenues through the sale of gasoline and the City receives a surcharge of $6,700.00 per annum based on 2¢ per gallon.

The estimate to move the two gasoline pumps from Pad No. 2 to an area in front of Mr. Sly's operation will be between $5,000.00 and $6,000.00. It was suggested that this cost be shared 50/50 between the City and Kingston Air Services.

...2/

Schedule "H" to Report No. 101
(Page 2)

It was further suggested that the main beneficiaries in moving the Turbo fuel pump from in front of Pad No. 2 to an area adjacent to Mr. Sly's operation as well as moving the vent pipes would primarily benefit the city and Torontair. The chief benefit to the city is eliminating a serious safety hazard which is of concern to all parties including the customs people.

It was suggested that Torontair and the City agree to share these costs on the basis of 50/50.

The estimates for this work is between $1,500.00 and $2,700.00. The total cost to the City can therefore be summarized as follows:

Between $3,250.00 and $4;350.00 for the estimated cost of relocation.

We would therefore recommend that the City approve an amount of up to $4,350.00 for this work to be finished as quickly as possible in 1979.

We expect to meet with all parties on Wednesday, October 10, 1979 to confirm action by City Council.

In conclusion, the 1979 budget position was discussed with Mr. Cousens who agreed that the above amount could be absorbed in 1979.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

SEP 19 1979

KINGSTON INDUSTRIAL COMMISSION

CITY HALL, KINGSTON, ONTARIO, CANADA
K7L 2Z3

AVID STEVENS
missioner of Industries

(613) 546-4291 and 546-1232

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: September 20, 1979

RE: AIRPORT - Fuel Handling Facilities

During the meeting September 18, 1979, when we reviewed that portion of the Corporate Air lease agreement respecting fuel handling facilities, it was requested that I explore with Torontair the possibility of a compromise with regard to relocating the four 5,000 gallon fuel storage tanks.

In the absence of Mr. Ian McCuaig, Vice President, Field Operations, this matter was reviewed with Mr. Bill Worthy, Resident Manager, Kingston Operations, and it appears there is the possibility that a compromise can be negotiated.

While Torontair would prefer, as they have stated previously, that the complete fuel handling facility be removed from the property they propose to lease in order to meet the requirements of safety around the site, the concerns of Customs and Immigration and reduce the congestion created by refuelling aircraft in the area required for scheduled aircraft operations, they wish to become established at the Kingston Airport as a good neighbour with other base operators. Therefore, it is felt that Torontair senior officials will agree to the underground fuel storage tanks remaining on the site, providing that all fuel dispensing cabinets be removed.

However, if the fuel storage tanks remain on the site, another problem is created. That is the existing breather pipes are located only a few feet from the edge of the concrete Pad No. 2 which will be occupied by the new building proposed to accommodate Customs and Immigration and Torontair operations. They would, therefore, require that these vent pipes be repositioned so as to provide a greater clearance between the vent pipes and the proposed building.

. . . . /2

Re: AIRPORT - Fuel Handling Facilities

The foregoing, of course, will be subject to confirmation by senior officials of Torontair within the next couple of days.

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

c.c. N. C. Jackson, City Solicitor

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: October 3, 1979

SUBJECT: AIRPORT - Fuel Handling Facilities
- Pad No. 2

ORIGIN: By-Law No. 6205 covering lease agreement between Wagner Aviation Limited and the Corporation of the City of Kingston for a ten year term, expired December 31, 1978, which provided for the operation of fuel handling facilities on a restricted area between Pad No. 2 and the main apron, Norman Rogers Airport.

ANALYSIS: During the term of the lease for Pad No. 2, Wagner Aviation Limited sold the license to operate a flying school and fuel handling business (marketing rights with Texaco Canada) to Kingston Air Services. The business continued to operate from Pad No. 2 for a short period of time. In June, 1975, Kingston Air Services was acquired by Corporate Air Services, and a lease agreement under By-Law 8539 between Corporate Air Services and the Corporation of the City of Kingston provided for the fuel pumps to be relocated to Pad No. 1. However, the fuel handling facilities were not relocated as provided for, and the operation has continued by Corporate Air Services (operating under the name of Kingston Air Services) from Pad No. 2.

In June, 1977, Otonabee Airways purchased the shares of Wagner Aviation Limited and assumed all liability of the lease for Pad No. 2. Otonabee operated a scheduled airline service and provided space for Customs & Immigration, including a freight warehouse in their premises on Pad No. 2.

The potentially hazardous situation resulting from the mix of pedestrian traffic around the fuel handling facilities at Pad No. 2 and the concern of Customs & Immigration officials about improper traffic separation has been a continuing problem.

By letter dated July 31, 1978, a request was made to the President of Corporate Air Services to relocate the fuel handling facilities, as originally provided for in the lease of Pad No. 1, and that the work be completed by August 31, 1978. To date relocation work of these facilities has not been undertaken.

The lease agreement with Wagner Aviation Limited and subsequently taken over by Otonabee Airways Limited expired December 31, 1978. Otonabee continued to operate a scheduled air service from Pad No. 2 since December 31, 1978, on a monthly basis at an increased rental rate of $150.00 per month. Effective June 18, 1979, Torontair have operated the scheduled air serviced from Pad No. 2 and have paid the rental rate assessed to Otonabee.

R. J. Hamilton, C.A.O.

RE: AIRPORT - Fuel Handling Facilities
- Pad No. 2

continued

ANALYSIS:

Torontair propose extensive renovations to the existing buildings and resurfacing on Pad No. 2. It will be required that Torontair enter into a lease agreement with the Corporation for use of Pad No. 2 before the improvement work can be undertaken. A prerequisite to entering into a lease agreement with Torontair is that the fuel handling facilities be removed from Pad No. 2.

Two meetings with all parties concerned were held to explore possible arrangements for resolving the situation. At a meeting held August 15, 1979, it was evident that the owner of the fuel handling facilities, Kingston Air Services, was not prepared to relocate the facilities at his expense. The owner was then requested to provide information with regard to cost, and Torontair were requested to advise their requirements so that negotiations concerning Pad No. 2 could be undertaken.

At a meeting held October 2, 1979, Torontair confirmed their willingness to accept something less than complete removal of the fuel facilities as detailed in my memorandum dated September 25, 1979, copy attached as Schedule "A".

Kingston Air Services provided an estimate of cost for relocation of the pump facilities and breather pipes as follows:

(It was reported that the estimate of cost was "very rough" and would be confirmed by K.A.S.)

(a)	relocate two - AV gas pumps to Pad No. 1	\$5,000.-\$6,000.
(b)	relocate one - Jet A1 pump to west edge of Pad No. 2	\$1,000.-\$2,000.
(c)	relocate vent pipes	\$ 500.-\$ 700.

In order to negotiate an arrangement for sharing of the cost, it was recommended that

(a) the cost of relocating the AV gas pumps be shared on a 50/50 basis between Kingston Air Services and the City; (Kingston Air Services agreed, with the proviso that the maximum limit of their cost be \$3,000.)

(b) the cost for relocating the Jet A1 pump and the breather pipes be shared on a 50/50 basis between Torontair and the City. (to be confirmed by Torontair)

Torontair agreed that the matter of relocation of the four 5,000 gallon underground fuel storage tanks be reconsidered by June 1, 1980, with regard to the possibility of an air terminal (passenger operations building) being available within the next two years.

ALTERNATIVE: The Corporation of the City of Kingston take over the fuel handling business, which would require installation of a fuel farm to be operated by airport management/or an arrangement made with a base operator for dispensing all fuel at the airport.

EXISTING POLICY: Since the original installation of static fuel services at the airport by Shell Oil and Texaco, it has been recommended by Transport Canada to not allow further static refuelling installations adjacent to the ramp area. Accordingly, the two 8,000 gallon storage tanks installed by Shell two years ago were placed at the south end of Pad No. 2 and a mobile fuel tanker used from this location.

FINANCIAL CONSIDERATIONS: The City presently receives a surcharge of 2¢ per gallon on all fuel dispensed at the airport by three base operators. Total fuel surcharge revenue -

1978	1977	1976
$6,688.44	$3,469.10	$2,892.95

If the City were to operate the complete fuel handling facilities, the cost is estimated to be $100,000.00, which would be offset by a suggested revenue of 20¢ per gallon on all fuel dispensed (based on 1978 volume of 334,362 gallons).

If the cost sharing arrangement is considered, (a) and (b) aforementioned, $6,000.00 could be made available from the Airport Maintenance of Grounds account, since the partial reconstruction of Hangar No. 4 and ramp area has been deferred until 1980.

RECOMMENDATION: Whereas it has been concluded that the problems surrounding the existing fuel handling facilities located between Pad No. 2 and the apron at Norman Rogers Airport will not be resolved without financial participation by the City; and

Whereas Kingston Air Services have agreed to participate on a 50/50 cost sharing basis with the City for removal of the AV gas pumps, with their cost not to exceed $3,000.; and

Whereas Torontair have agreed to participate on a 50/50 cost sharing basis with the City for the relocation of the Jet A1 pump and breather pipes;

It is, therefore, recommended that the City financially participate with Kingston Air Services and Torontair in relocation of the fuel handling facilities and breather pipes located between Pad No. 2 and the apron at Norman Rogers Airport as set out above, with the City's portion of the cost not to exceed $6,000.00.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c
Attachment

SCHEDULE "A"

KINGSTON INDUSTRIAL COMMISSION

CITY HALL, KINGSTON, ONTARIO, CANADA
K7L 2Z3

VID STEVENS
issioner of Industries

(613) 546-4291 and 546-1232

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: September 25, 1979

RE: AIRPORT - Fuel Handling Facilities

Further to my memo of September 20, 1979, concerning the possibility of a compromise with respect to removal of four 5,000 gallon fuel storage tanks from the area of Pad No. 2, we provide the following:

Mr. Ian McCuaig, Vice President, Torontair, telephoned yesterday and advised they have discussed subject matter with Mr. Bill Worthy, and while they would like to see the complete fuel handling facilities removed from the area required for scheduled aircraft and passenger handling, they are prepared to extend the terminating date for use of the storage tanks to June 1, 1980, providing the fuel cabinets are removed now and the vent pipes to the tanks repositioned further away from the proposed building and pedestrian traffic area.

Torontair have recently been advised by the United States Civil Aeronautics Board that their application to provide air service between Kingston - Syracuse, New York has been approved. The service is scheduled to commence October 1, 1979, and the need to clear the area in front of Pad No. 2 to meet the airline's and Customs' requirement is urgent.

A lease agreement with Torontair for the use of Pad No. 2 should now be negotiated without delay in order to permit a start on building accommodation before the winter season sets in.

I would, therefore, suggest another meeting of all parties concerned in order to resolve this matter on the basis of the items noted above.

W. D. Stevens

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

c.c. N. C. Jackson, City Solicitor

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTION

BYLAWS

(A) That By-Laws 1 to 5 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of giving By-Laws 1 to 5 their Third Reading.

(C) That By-Laws 1 to 9 be given their Third Reading.

* * *

(1) A By-Law to Amend By-Law No. 6, "A By-Law Respecting the Payment of Taxes (Increase Penalty and Interest on Taxes from 1% per month to 1¼% per month).

THREE READINGS Proposed No. 79-229
Clause 3, Report No. 101

(2) A By-Law to Amend By-Law No. 99, "A By-Law to Authorize the Treasurer to receive Advance Payment of Taxes to Allow a Discount Thereon" (Increased Discount on Prepayment of Taxes of Up to 12% per annum).

THREE READINGS Proposed No. 79-230
Clause 4, Report No. 101

(3) A By-Law to Authorize the Amendment of a Supplementary Agreement Under the Ontario Municipal Retirement System Act.

THREE READINGS Proposed No. 79-231
(Agreements with C.U.P.E. Locals 109 and 141, Firefighters Association and Supervisory and Key Personnel of the City and of the Public Library Board)

BYLAWS (Cont'd)

(4) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Temporary Banner Across Princess Street, October 24 to November 8, 1979).

THREE READINGS Proposed No. 79-232

Clause 6, Report No. 101, 1979

(5) A By-Law to Confirm the Proceedings of Council at its Meeting held on October 9, 1979.

THREE READINGS Proposed No. 79-233
City Council Meeting No. 39, 1979

(6) A By-Law to Authorize the Reconstruction of Certain Sidewalks under the General Rate.

THIRD READING Proposed No. 79-175
Clause 6, Report No. 86, 1979

(7) A By-Law to Authorize the Reconstruction of a Concrete Sidewalk 1.5 m Wide in (1) Brock Street North Side from Napier Street to Easterly 112.47 m and (2) Napier Street East Side from Brock Street to Northerly 4.876 m under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-176
Clause 8, Report No. 86, 1979

(8) A By-Law to Authorize the Reconstruction of a Concrete Sidewalk 1.5 m Wide in Princess Street North Side from 24.50 m West of Alfred Street to Westerly 36.42 m under the Provisions of Section 7 of The Local Improvement Act (Petition)

THIRD READING Proposed No. 79-178
Clause 11, Report No. 86, 1979

(9) A By-Law to Authorize the Execution of an Agreement with Barbara Pusch, Bruce Antliff and the Canadian Imperial Bank of Commerce (Ontario Heritage Easement - 9 Kennedy Street).

THIRD READING Proposed No. 79-226
Clause 5, Report No. 99, 1979

* * *

UNFINISHED BUSINESS

ADJOURNMENT

Schedule "F" to Report No. 101
(Page 1)

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
OCT 29 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-16

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: October 5, 1979

RE: Application by John L. Smith to the Cataraqui Region Conservation Authority to place fill in an area of the City of Kingston

---

The above noted application has been made to the Cataraqui Region Conservation Authority, who have the proper jurisdiction under The Conservation Authorities Act to grant permits for the placing of fill. The application to place fill has been referred to the City of Kingston for comment, in that 46 acres of the 180 acres mentioned in the fill permit application are within the City limits. The City's comments are being asked for, but it is to be noted that the decision with respect to the actual filling of the lands will be made by the Cataraqui Region Conservation Authority. Any comments made by the City may, or may not, be accepted by the Conservation Authority.

This application involves lands that, as Mr. Trumpour has indicated in his letter, were the subject of previous litigation. This took place before my tenure, but I believe from reviewing the files that the following is a fair summary. Mr. Smith applied to the Conservation Authority several years ago for a fill permit which was refused by the Conservation Authority. Mr. Smith appealed, pursuant to the Act, to the Mining and Lands Commissioner of Ontario. The City of Kingston was not involved in the hearing before the Mining and Lands Commissioner, who saw fit to make an Order allowing Mr. Smith to fill some of his lands. Litigation followed because there was some question as to how much land the Mining and Lands Commissioner intended to be filled. The City of Kingston brought an application for judicial review to the Divisional Court of Ontario.

.../2

Mr. R.J. Hamilton,
Chief Administrative Officer

October 5, 1979

This Court ruled that the City of Kingston did have standing and that the matter should be referred back to the Mining and Lands Commissioner for a fresh hearing. The Court indicated that the application was to be brought back on by John L. Smith, with notice to be given to both the City of Kingston and the Cataraqui Region Conservation Authority. It is to be noted that no application has been made by Mr. Smith in the interim to bring this matter back on for a hearing.

It would seem proper at this point in time for Mr. Smith to recommence proceedings at the level of the Conservation Authority since the previous permit would now have expired in any event, and any further deliberations on it by the Mining and Lands Commissioner could only lead back to the Conservation Authority, who would have to renew the permit in any event.

The jurisdiction of the Cataraqui Region Conservation Authority is set out in The Conservation Authorities Act, R.S.O. 1970, Chapter 78. Paragraph (f) of subsection (1) of Section 27 of this Act states that:

> "Subject to the approval of the Lieutenant Governor in Council, an authority may make regulations applicable in the area under its jurisdiction prohibiting or regulating the placing or dumping of fill of any kind in any defined part of the area over which the authority has jurisdiction in which in the opinion of the authority the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill."

Regulation No. 109 under The Conservation Authorities Act states in Section 4 that:

> "Subject to The Ontario Water Resources Commission Act or to any private interest, the Authority may permit in writing the placing or dumping of fill in any area described in the Schedule if, in the opinion of the Authority, the site of the placing or dumping and the method of placing or dumping will not affect the control of flooding or pollution or the conservation of land."

If City Council wishes to make a comment which will have an effect on the application for the fill permit, its comment should be related to the jurisdiction possessed by the Conservation Authority under the Act and Regulation. The jurisdiction would appear to be related to the following matters, as set out in the Act and the Regulation: the control of flooding or pollution or the conservation of land. Section 4 of the Regulation would appear to be permissive in that the word "may" is used. However, when referring back to

.../3

Mr. R.J. Hamilton,
Chief Administrative Officer

October 5, 1979

Section 27 of the Act, I do not beleive that the Conservation Authority would have additional powers other than the three set out. The Planning Board resolution which was before City Council does not seem to address itself specifically to these powers. Should the City have some concern respecting the control of flooding or pollution that may result from the filling of the subject property, I would suggest that these types of matters be set out. The other power that the Authority possesses with respect to the refusal of a permit is the conservation of land. This term is not defined in the Act or Regulation, and I would suggest that its meaning is probably related to the other terms uses in the section, which are flooding and pollution. If land is being filled and the result of this fill is that other lands will be flooded or pollution will occur or other existing lands may not be conserved, then the uthority would have the right to refuse a permit. The term, 'conservation of land" is, however, open to some difference of pinion as to its exact meaning and as to how far the Authority ould go in refusing a permit under this term.

It does appear to me, however, that even given the widest nterpretation of the term, "conservation of land", that certain arts of the resolution before Council would not be within the eaning of the term, and therefore beyond the jurisdiction of the onservation Authority, which parts are as follows:

1. The intent of the resolution would appear to present olicies of the City of Kingston as set out in its Official Plan. hese Official Plan policies, although relevant to the application, re passed under The Planning Act. The Conservation Authorities ct and its Regulations are not stated to be subject to The Planning ct and therefore it stands on its own. It is interesting to note hat paragraph (b) of subsection (2) of Section 27 of the Act states hat:

> "No regulation made under this section shall interfere with any rights or powers conferred upon a municipality."

ne municipality's rights under The Planning Act are exercised by irtue of Official Plan amendments which are subject to the approval f the Minister of Housing. These Official Plan goals are then nplemented by zoning by-laws and, of course, no buildings can be rected that are not in conformity with the zoning by-law. Thereore, The Planning Act has its own means of effecting control of nd use. Under the terms of The Planning Act, I understand that of ne 46 acres in the City, approximately 6 have been zoned flood plain d that 40 have been zoned private open space. The intent of the solution would therefore, insofar as its reference to hazard lands concerned, and the policies relating to these hazard lands, primarily related to the 6 acres of flood plain zoning.

of fill permit

.../4

Mr. R.J. Hamilton,
Chief Administrative Officer

October 5, 1979

2. The second page of the resolution indicates certain techniques that may be employed by a municipality. It should be understood that these techniques are to be used under The Planning Act and there is not necessarily any requirement that they have application upon an application for a fill permit under The Conservation Authorities Act.

3. I believe the resolution to be erroneous when it states that prior approval is required from a municipality. There is nothing in The Conservation Authorities Act that requires prior approval or even notice to a local municipality. Notice is given on what would appear to be a courtesy basis. This is not to say that the City would not have some standing in any hearing, either before the Cataraqui Region Conservation Authority or a higher Court, since the Divisional Court has held that the City did have standing to have the matter previously reviewed.

4. Of most concern to me is the statement in the Council resolution that if the City acts to purchase the land after a fill permit is issued, they will have to pay for the enhanced value of the land. There is in this statement a suggestion that the permit should be refused by the Conservation Authority on the basis that the City will be able to purchase the land if it has not been filled for a lower price. This, to me, is not within the jurisdiction of the Conservation Authority, and taints any valid objections that the City may have. In my opinion, it would lead a Court to suggest that the action of the City was in bad faith. I am aware that the City's Official Plan indicates that the City may acquire certain hazard lands, but would suggest that they can exercise such a power other than in the fashion proposed.

In conclusion, I would suggest that the City carefully consider the application, addressing itself firstly to which portions of the application it is primarily concerned with, (presumeably the lands zoned flood plain); secondly removing the reference to land acquisition; thirdly removing reference to the prior approval from a municipality which is not, in fact, required; and fourthly, pointing out how the relevant Official Plan policies could be achieved with respect to those matters that are under the jurisdiction of the Authority to grant the fill permit. Such flood plain management techniques that are under the authority of The Conservation Authorities Act could be suggested in the City's comments. If they are to be given any credence they should be backed up by such detail as would be necessary, should such details be available, and the City could then ask to be present at a hearing before the Authority respecting this fill permit.

① are cut & fill techniques appropriate
— damage from cut.
② Ecological value of cat tail marsh.

N. Jackson

Norman C. Jackson,
City Solicitor

NCJ/ks

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
OCT 26 1979

CITY COUNCIL MEETING NO. 39

The regular meeting of City Council was held on Tuesday, October 9, 1979 in the Loyalist Room "In Camera" from 7:00 p.m. to 8:00 p.m. and in the Council Chamber, City Hall at 8:01 p.m. His Worship Acting Mayor Gerretsen presided.

ROLL CALL

Acting Mayor Gerretsen, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 7:50 p.m.) Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller (arrived at 7:05 p.m.) Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

COMMITTEE OF THE WHOLE "IN CAMERA"

(1) Moved by Ald. Bishop,
Seconded by Ald. Gorham,

That Council resolve itself into the Committee of the Whole to consider "In Camera" the acquisition of 138 Rideau Street and 106 Rideau Street and the possible conflict of interest of Mayor K. Keyes and Ald. A. Lampropoulos with regard to the acquisition of the Kingscourt Public School Property.

CARRIED

The Committee of the Whole adjourned to the Council Chamber at 8:00 p.m. to continue with the Regular Meeting.

ROLL CALL

Acting Mayor Gerretsen, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

(2) Moved by Ald. Clements,
Seconded by Ald. Gorham,

That Council rise from the "In Camera" Meeting of the Committee of the Whole and the Chairman report.

CARRIED

Ald. Lampropoulos said that the matter of a possible conflict of interest with Mayor K. Keyes and himself with regard to the acquisition of the Kingscourt Public School property had been discussed "In Camera" along with the opinion of the City Solicitor concerning this matter. It was the City Solicitor's opinion that he could have a conflict of interest and he would like at this time to publicly declare a possible conflict and abstain from any further discussion or voting with regard to this matter.

Acting Mayor J. Gerretsen said that it is the intention of Mayor Keyes, who is out of town at this time, to declare his possible conflict of interest at the next Council Meeting.

Acting Mayor Gerretsen reported that the following motions were passed in the Committee of the Whole "In Camera" session:

(A) Moved by Ald. Bishop,
Seconded by Ald. Webb,

That the City Solicitor and the Chief Administrative Officer be authorized to negotiate a settlement for the properties located at 106 Rideau Street and 138 Rideau Street at a total cost of $210,000.00 on the following conditions:

i) The payment of $210,000.00 shall be in total consideration of the property acquisition and cost of business lossess for 106 and 138 Rideau Streets;

ii) All actions now started against the City shall be withdrawn;

iii) The offer shall close not later than December 31, 1979;

iv) A reasonable rental shall be negotiated for the last year; i.e., January 1, 1980 to December 31, 1980 when vacant possession will be given to the City.

CARRIED 8:5

Ald. Hawkins requested a recorded vote on Motion A which was as follows:

(See recorded vote)

YEAS: Acting Mayor Gerretsen, Ald. Bishop, Ald. Gorham, Ald. Lampropoulos, Ald. McArthur, Ald. Miller, Ald. Timmins, Ald. Webb.

NAYS: Ald. Clark, Ald. Hawkins, Ald. Knapp, Ald. Matthews, Ald. Tarnowecky.

CARRIED 8:5

Ald. Lampropoulos declared a conflict of interest in the matter of acquiring Kingscourt School from the Frontenac County Board of Education as he is a teacher at La Salle Secondary School.

(B) Moved by Ald. Clark,
Seconded by Ald. Webb,

That the action taken by Council at its meeting of October 1, 1979, Motion 3(v) which reads as follows:

"That the Chief Administrative Officer be authorized to make an offer to the Frontenac County Board of Education of $225,000.00 for the purchase of the Kingscourt Public School Property, said offer to expire on July 1, 1980",

be rescinded.

CARRIED 11:2
Ald. Lampropoulos abstained from voting
Ald. Hawkins & Ald. Matthews opposed

Ald. Lampropoulos declared a conflict of interest as he is a teacher at La Salle Secondary School.

(C) Moved by Ald. Tarnowecky,
Seconded by Ald. Bishop,

That Council authorize the Chief Administrative Officer to make an offer of $225,000.00 to the Frontenac County Board of Education for the purchase of the Kingscourt Public School Property, said offer to expire on July 1, 1980.

CARRIED 10:3
Ald. Lampropoulos abstained from voting
Ald. Clements, Ald. Webb & Ald. Timmins opposed

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(3) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

PRESENTATIONS

Long Service Bars - Fire Department -

Fire Fighter - L. Begg - 35 years - Service Bar

Deputy Chief - H.C. Sharman - 35 years - Service Bar

Inspector H.M. Campbell - 25 years - Service Bar

Assistant Deputy Chief - G. Fairbanks - 25 year Service Bar

Captain Vincent Rochefort - 30 year Service Bar

(Note: Motor Mechanic, A. Law was unable to attend to receive his 35 year Service Bar)

MINUTES

Moved by Ald. Lampropoulos,
Seconded by Ald. McArthur,

That the Minutes of Meeting No. 37 held on September 24, 1979 be confirmed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 599 to 604.

Filed

(592) From the Ministry of Intergovernmental Affairs acknowledging receipt of the City's letter in which the Minister of Intergovernmental Affairs, Honourable T.L. Wells, was informed that the City of Kingston did not endorse the City of Chatham's resolution concerning Bill 124 re amendment to the Municipal Act. (Report 81 (2) 79)

File No. 19-7

COMMUNICATIONS (Cont'd)

Referred to Traffic, Streets & Parking Administrator

(593) A copy of a letter to the Townships of Ernestown, Kingston and Pittsburgh from the Kingston Area Planning Board stating the following concerns and requesting the City's comments:

1) Is the practice of giving dead end streets adjacent to straight streets the same name but differentiating it only by calling it a Place or Court, acceptable? E.g., Smith Place could be a cul-de-sac adjacent to Smith Street.

2) Should similar sounding street names be rejected even if they are not strict duplications. E.g., Rosemount and Rosemund.

3) Should there be a uniform practice throughout the Kingston Planning Area with respect to the various types of street, e.g., street, avenue, road, crescent, place, boulevard, drive, way, lane, (it has been observed that cul-de-sacs are sometimes called Places and at other times Crescents) and if so, should an attempt be made to have all existing street names brought into line with a uniform practice.

File No. 20-7

Referred to the Traffic, Streets & Parking Administrator

(594) From the Ministry of Agriculture and Food forwarding a copy of the recently amended Dog Licensing and Live Stock and Poultry Protection Act together with a copy of the new Regulation which provides for a revision in the maximum awards payable under the Act for compensation for killed or injured livestock. Both the amended Act and the new Regulation became effective September 15, 1979.

File No. 2-1.3-1

Filed

(595) Copy of a letter to the Association of Women Electors of Kingston Area from Mr. R.H. Watson, Environmental Officer, Municipal and Private Abatement responding to their letter of September 12, 1979 with regard to the Davis Tannery.
(Note: Copy of above letter was distributed to all members of Council with the agenda)

File No. 25-2.19-14

(596) From the Ministry of Housing thanking the City for responding to the Annual Housing Review 1980 and advising that the Ministry Project Co-ordinator will be contacting the City to continue the dialogue which was initiated by returning the Annual Housing Review.

File No. 8-3.9

COMMUNICATIONS (Cont'd)

Referred to Mayor Keyes

(597) From the Association of Municipalities of Ontario with regard to major fiscal arrangements with municipalities and advising that earlier in the year, the Minister of Intergovernmental Affairs, the Honourable Thomas Wells, agreed with the Association's recommendation for the establishment of a provincial-municipal committee to formulate new long-term financial arrangements. The formula accepted by Mr. Wells took into account provincial and municipal needs, but the government refused to endorse the joint proposal. At AMO's Outgoing Board of Directors meeting held in August, 1979, it was decided that if the government did not agree to support the said agreement, the Association saw little value in continuing its participation in the Provincial/Municipal Liaison Committee (PMLC) process.

The AMO wishes to emphasize that their lines of communication are still open with the provincial government, but they will not be active in the PMLC.

File No. 1-5

(598) From the Honourable Keith Norton thanking the City for the copy of the City of Kitchener's resolution concerning Provincial Fuel Tax for Municipal Transit Systems, which Kingston did not endorse. (Report 94 (15) 79).

File No. 19-7

Filed

(599) From The Honourable Reuben C. Baetz, Minister of Culture and Recreation notifying that a cheque in the amount of $10,379.25 would be forwarded to the City in approximately two weeks. This cheque would be issued under The Community Recreation Centres Act for the Cataraqui Park Tennis Courts.

(Ref. No. 17-3)

(600) From the Metric Commission Canada the Sixth Report for the year ending March 31, 1979 on Metric Conversion.

(Ref. No. 13-8)

(601) *From The Honourable Flora MacDonald* thanking the City of Kingston for the $10,000 donation made to the Refugee Relief Committee.

(File No. 3-6)

(602) Statement of Revenue and Expenditures for the month of August, 1979, from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget Estimates	1979 to Date	Month of August 1979	1978 to Date
Operating Deficit:	$793,443.	$ 591,191.	$100,184.	$476,926.
Debentures:	27,645.	18,430.	2,304.	18,460.
Total Operating Deficit	$821,088.	$ 609,621.	$102,488.	$495,386.

(File No. 17-11.2)

COMMUNICATIONS (Cont'd)

Filed

(602) From The Ministry of Transportation and Communications notifying that the Ministry has authorized a supplementary subsidy allocation in the amount of $24,000 for construction of that portion of Portsmouth Avenue chargeable to Part 10 under the Princess Street Connecting Link Project, Appendix No. 53. Total Amount of Subsidy Allocations is as follows:

Construction	Maintenance	Total
$479,000.	$776,000.	$1,255,000.

(File No. 17-9.1)

Referred to the City of Kingston Planning Board

(603) From Campeau Corporation expressing an interest in the proposed shopping centre on the west side of Division Street and Mr. Greenwood's application for a re-zoning and requesting that information normally made public be provided to the Campeau Corporation.

(Note: Copies distributed to all members of Council.)

(File No. 25-2)

(604) From the Association of Women Electors of Kingston Area extending full support for the Planning Board's resolution with regard to the request by Mr. John L. Smith for a fill permit and supporting joint action by the City, Kingston Township and the Cataraqui Region Conservation Authority to purchase the Smith land at an apprised price plus the usual added amount. They further request the City to amend the Offici
Plan and Zoning By-Laws in accordance with the unmapped area s
/of Princess Stree

(Note: Copies distributed to all members of Council.)

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council resolve itself into the Committee of the Whole to receive reports with Acting Mayor Gerretsen in the chair.

CARRIED

(B) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

The Chairman reported that Report No. 101 of the Chief Administrative Officer was considered in the Committee of the Whole as follows:

REPORTS

Report No. 101 - Chief Administrative Officer

Council consented to the addition of Clauses 12 and 13.

Moved by Ald. Timmins,
Seconded by Ald. Webb,

That Report No. 101 of the Chief Administrative Officer be received and considered.

REPORT NO. 101

October 9, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. WHEREAS the Kingston Jaycees have requested that the lease of premises by them at 53 Yonge Street, Portsmouth Olympic Harbour be terminated as it is believed that the rental expense is not justified from a public point of view and that the majority of their funds are derived through public donations;

THEREFORE BE IT RESOLVED that as recommended by the Commissioner of Parks, Recreation and Property, the lease with the Kingston Jaycees be terminated effective October 31st 1979 and that other tenants of the site be notified of the vacancy and if no response, the space be advertised immediately.

(Note: A copy of the report of the Commissioner of Parks, Recreation and Property is attached hereto as Schedule "A", 5 Pages.)

LOST 7:7
(See following motion of amendment which was also lost)

Moved by Ald. Clements,
Seconded by Ald. Webb,

That Clause 1, Report No. 101, be amended to provide that the lease with the Kingston Jacees be terminated, effective October 31, 1979 and a penalty of $432.00, being 6 months rental, be paid.

LOST 7:7

WHEREAS the City Treasurer has notified that under present legislation, Section 389a (1) of The Municipal Act, R.S.O., 1970, as amended, provides authority for a municipality to determine remuneration paid to members of Council serving on Boards and it is his believe that this authority should remain with the elected bodies i.e. councils;

THEREFORE BE IT RESOLVED that the following resolution of the City of Guelph BE NOT ENDORSED:

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

2. (Cont'd)

"THAT this Council recommend to the Executive of the Association of Municipalities of Ontario that representation be made to the Minister of Intergovernmental Affairs, recommending that Section 389a (1) of The Municipal Act, as re-enacted by Ontario Statutes 1978, Chapter 23, Section 22, be repealed for the following reasons:

1. *Local Councils policies on payment of remuneration to persons it appoints to Local Boards may differ substantially and indeed conflict with such policies prescribed by other Member Municipalities and with such policies prescribed by the Local Boards.*
2. *Local Boards with membership from more than one Municipality should, as a matter of good business practice, have the right and responsibility to determine a fair and equitable remuneration policy as approved by the majority of its members."*

CARRIED

Ald. Clements declared a conflict of interest in Clause 3 since his taxes for 1979 are not paid.

3. WHEREAS, the City's tax arrears are greater during 1979 than in the preceding two years;

AND WHEREAS the percentage differential between 1978 and 1979 has been increasing in recent months due to the increase in the bank borrowing rate with the most recent increase in the bank prime rate to 13% and thus most businesses must pay at least 15% at the bank for their money;

AND WHEREAS the City's penalty on taxes is only 1% per month (12% per annum) which is not compounded and thus it is to the business advantage to avoid paying their tax and use this money for working capital;

AND WHEREAS the Province amended the legislation this year to permit municipalities to charge 1¼% per month interest (15% per annum);

AND WHEREAS an analysis of tax arrears shows that 84% of the tax arrears owing are by people who own more than one property or are in business;

THEREFORE BE IT RESOLVED that as recommended by the City Treasurer, By-Law No. 6, "A By-Law Respecting the Payment of Taxes", be amended to increase the penalty and interest on taxes from 1% per month to 1¼% per month effective December 1st 1979.

(Note: A copy of the reports of the City Treasurer and the Chief Administrative Officer are attached hereto as Schedule "B", 3 Pages.)

(See By-Law No. 1: No. 79-229)

CARRIED 13:0
Ald. Clements abstained from voting.

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

4. WHEREAS the present City of Kingston by-law allows a discount of 8% per annum on tax pre-payments and this rate is unrealistic under current economic conditions;

AND WHEREAS Provincial legislation has been amended to allow up to 12% per annum discount;

AND WHEREAS if the present by-law is not changed, the City will be unable to sell pre-payment certificiates under present economic conditions;

THEREFORE BE IT RESOLVED that as recommended by the City Treasurer, a By-Law be presented to Council to amend By-Law No. 99, "A By-Law to Authorize the Treasurer to Receive Advance Payment of Taxes to Allow a Discount Thereon" to authorize the City Treasurer to allow a discount on prepayment of taxes of up to 12% per annum.

(Note: A copy of the reports of the City Treasurer and the Chief Administrative Officer are attached hereto as Schedule C , 2 Pages.)

(See By-Law No. 2: No. 79-230) CARRIED

5. WHEREAS the Senior Citizens Council has requested that City Council appoint one elected and one appointed official to the Council;

AND WHEREAS Alderman J. Hawkins has volunteered to represent City Council and Mr. S. Routbard, Administrator of Social Services has volunteered Mrs. S. Cameron, Assistant Administrator of Social Services to represent the appointed staff;

THEREFORE BE IT RESOLVED that Alderman J. Hawkins and Mrs. S. Cameron be appointed to the Senior Citizens Council for a period ending November 30th 1980.

CARRIED

6. That, By-Law No. 10 be amended to provide that permission be granted to the Hadassah Auxiliary to erect a banner across Princess Street between Montreal and Sydenham Streets, for the period October 24th-November 8th, 1979, to advertise the Hadassah Auxiliary Bazaar on November 7th 1979.

(NOTE: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule D , 2 Pages.)

(See By-Law 4: No. 79-232)

CARRIED

Ald. Lampropoulos withdrew at 9 p.m. and returned at 9:05 p.m.
Ald. Tarnowecky withdrew at 9:06 p.m. returned at 9:15 p.m.
Ald. Webb withdrew at 9:10 p.m. and returned at 9:15 p.m.
Ald. Clements withdrew at 9:15 p.m. and returned at 9:25 p.m.

At the request of Ald. Miller Clause 7 was divided and considered in parts.

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

7. That, as recommended by the Administrator of Traffic, Streets and Parking:

a) No action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

CARRIED

(See following motion of amendment which had no seconde and was not considered)

Moved by Ald. Knapp,

That the proposal for parking permits for single and two-family residential streets to exempt residents from no parking restrictions, be implemented on a trial basis.

b) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

CARRIED

c) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid for by resident users through a monthly charge.

CARRIED 9:5

(Note: A copy of the Report of the Administrator of Traffic, Streets and Parking is attached as Schedule E ', 6 Pages.)

Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That Clause 8, Report No. 101, be lifted from the table and considered.

CARRIED

8. *"WHEREAS an application by Mr.J. L. Smith to the Cataraqui Region Conservation Authority to place fill in an area south of the CNR and west of Princess Street has been referred to the City of Kingston for comments; and*

WHEREAS a portion of the subject area is designated Hazard Lands on Schedule A1 (Land Use and Major Streets) to the City's Official Plan; and

WHEREAS Section 2 (16) of the Plan defines Hazard Lands as "lands having inherent environmental hazards, such as poor drainage, organic soils, flood susceptibility, erosion, steep slopes or any other physical condition which leads to the deterioration or degradat of the environment" and provides for the following permitted uses:

'Lands so designated are intended primarily for preservation and conservation of the natural land and/or environment. Such uses as agriculture, outdoor recreation, nursery gardening, shall be permitted. In addition, public or private parks or other outdoor recreation functions such as golf courses, shall also be permitted. The permitted uses, other than preservation and conservation, shall only be allowed where they do not aggravate the hazard"; and

WHEREAS the plan also provides for the possible conversion of Hazard Lands to other uses through the following policy (Section 1(11);'

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

8. (Cont'd)

> 'WHERE land designated Hazard Lands is under private ownership, this Plan does not indicate that this land will necessarily remain as such indefinitely, nor shall it be construed as implying that such areas are free and open to the general public or will be purchased by the municipality or other public agency. An application for the redesignation of Hazard Lands for other purposes may be given due consideration by the municipality after taking into account:
>
> A. the existing environmental and/or physical hazards;
>
> B. the potential impacts of these hazards; and
>
> C. the proposed methods by which these impacts may be overcome in a manner consistent with accepted engineering techniques and resource management practices.
>
> There is no public obligation, however, either to redesignate or to purchase any land if there is an existing or potential hazard that would be difficult or costly to overcome.'; and

WHEREAS these Hazard Land policies in the City's Official Plan were initially recommended for adoption by the Provincial Government as a means of instituting an effective form of flood plain management involving the close co-operation of the City of Kingston and the Cataraqui Region Conservation Authority as the two principal public bodies with the Authority to exercise control over land use in this sensitive area; and

WHEREAS Cataraqui Region Conservation Authority's initial formal commitment to this co-ordinating process occurred on October 3, 1973, at which time the Executive Committee adopted a General Policy for granting fill permits in the Little Cataraqui Creek Watershed which, among other matters, stated 'That all fill permits will be consistent with the Official Plan'; and

WHEREAS in turn, the Hazard Landsin the City's Official Plan are coincident with the lands below the flood line as defined by the Cataraqui Region Conservation Authority; and

WHEREAS the practical effect of this co-ordinating process insures that the shared objective of instituting comprehensive flood plain management within the Hazard Land area, is not comprised by the unilateral action of either public body involved; and

WHEREAS by requesting the comments from a Municipality for a proposal to fill and/or develop in a designated Hazard Land Area, the Conservation Authority affords the public an opportunity to employ the broader powers of a municipality (through the Planning Act) to effect comprehensive flood plain management techniques which would include such essential components as:

a) a detailed concept (land use) plan showing how the proposal will be physically integrated with its environs, natural or otherwise (a conventional requirement for all proposals to amend the Official Plan).

b) a comprehensive environmental impact analysis, extending to pertinent matters beyond flood control (see Section 1 (110) of the Official Plan).

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

8. (Cont'd)

c) *the legislated right of a municipality to control land use (in the Planning Act) and thereby deny or alter the proposal if it doesn't comply with the public interest in such a development.*

d) *the opportunity for the public to obtain its principal stated objective of achieving the 'preservation and conservation of the natural land and/or environment' (Section 2 (16) by acquiring Hazard Lands in their natural state and at a value which reflects that state; and*

WHEREAS if, on the other hand, fill permit applications in the Hazard Land areas in general are, or can be issued without requiring the prior review and approval of the municipality as previously described, then the co-ordinated program to institute comprehensive flood plain management in Hazard Land areas becomes ineffective and

WHEREAS if the current application is approved and filling takes place then the City's objective of preserving and conserving the natural land and/or environment, in this instance, is no longer achievable and the City will have to redesignate it to another land use category, which under normal circumstances have to presume some form of urban development;

AND WHEREAS compensatory stage storage (cut and fill operation) on the water's edge will have a marked environmental impact and ineffective result in terms of flood water storage; and

WHEREAS these ramifications of issuing fill permits in Hazard Land areas without the prior approval of the affected municipality are extremely serious and not in the public's interest;

THEREFORE BE IT RESOLVED that Council recommend to the Cataraqui Region Conservation Authority that the subject application by Mr. J. L. Smith be refused.".

(Note: A copy of the report from the City Solicitor is attached as Schedule "F", 4 pages.

The last day for submission of comments to the Cataraqui Region Conservation Authority is October 11th 1979.)

CARRIED AS AMENDED

(See following motions of amendment and to hear a delegation in this regard)

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

8. (Cont'd)

Moved by Ald. Miller,
Seconded by Ald. Lampropoulos,

That Dr. S. Fyfe, a representative of the City of Kingston on the Cataraqui Region Conservation Authority be permitted to speak to the Committee of the Whole.

CARRIED

Moved by Ald. Timmins,
Seconded by Ald. Miller,

That Clause 8, Report No. 101, be amended to delete from the tenth "WHEREAS" clause the following words:

> *"and all Hazard Lands obtain an implicit land value equal to that of other developable land in the City, less the simple cost of overcoming only one environmental concern (by employing compensatory 'cut and fill' techniques)".*

and to delete the twelfth "WHEREAS" which reads as follows:

> *" WHEREAS if the City, on the other hand, acts to purchase the subject land in order to achieve its Official Plan objectives , after a fill permit is issued (but before filling takes place) the City will have to pay for the value of the land as enhanced by the presence of the valid fill permit and its implications described above"*

and to add the following "WHEREAS" as the twelfth "WHEREAS":

> *"WHEREAS compensatory stage storage (cut and fill operation) on the water's edge will have a marked environmental impact and ineffective result in terms of flood water storage; and".*

CARRIED

Moved by Ald. Miller,
Seconded by Ald. Hawkins,

That Clause 8, Report No. 101, be amended to delete from the ninth "WHEREAS" clause, first sentence, "requiring prior approval"and by deleting from the second and third sentences the words, "the public is afforded" and substituting in the first sentence the words, "requesting the comments" and in the second and third sentences the words, "the Conservation Authority affords the public".

CARRIED

9. That, as recommended by the Administrator of Traffic, Streets and Parking the following resolution of the Borough of Scarborough BE ENDORSED:

"That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs.".

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "G", 4 pages)

CARRIED

Ald. Clements withdrew at 10:35 p.m.

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

10. WHEREAS it has been concluded that the problems surrounding the existing fuel handling facilities located between Pad No. 2 and the apron at Norman Rogers Airport will not be resolved without financial participation by the City; and

WHEREAS Kingston Air Services have agreed to participate on a 50/50 cost sharing basis with the City for removal of the AV gas pumps, with their cost not to exceed $3,000; and

WHEREAS Torontair have agreed to participate on a 50/50 cost sharing basis with the City for the relocation of the Jet A1 pump and breather pipes;

THEREFORE BE IT RESOLVED THAT as recommended by the Chief Administrative Officer the City financially participate with Kingston Air Services and Torontair in relocation of the fuel handling facilities and breather pipes located between Pad

No. 2 and the apron at Norman Rogers Airport as set out in the report of the Commissioner of Industries and Airport Administrator and that authorization be given to the expenditure of up to $4,350.00 for this work to be finished as quickly as possible in 1979 it being noted that the City Treasurer has agreed that the above amount could be absorbed in the Airport Budget for 1979.

(Note; A copy of the Reports of the Chief Administrative Officer and the Commissioner of Industries and Airport Administrator is attached as Schedule "H", 8 pages)

CARRIED

11. That as recommended by Mayor Keyes, the City provide a meeting room, secretarial assistance and luncheon for the organizational meeting for the Research and Demonstration Project entitled "Heritage Creative Crafts" for Wednesday, October 10th 1979, as a project to assist persons who are receiving social assistance.

CARRIED

Ald. Miller declared a conflict of interest in Clause 12, since she is employed by Queen's University.

12. That, as recommended by Mayor Keyes, permission be granted by City Council for the City of Kingston flag (blue) to be flown from George Richardson Memorial Stadium on Saturday, October 13th, when Queen's University proclaims "Kingston Day" at Queen's.

CARRIED

Ald. Miller abstained from voting

REPORTS (Cont'd)

Report No. 101 - Chief Administrative Officer

13. That the Agreement with 361029 Ontario Limited, The Corporation of the City of Kingston and the Public Utilities Commission of the City of Kingston and Urbanetics Ltd. be amended to provide that the date for filing of plans be changed from April 1st 1979 to July 23rd 1979.

CARRIED

(Note: A copy of a report from Mr. N. Jackson, City Solicitor, is attached as Schedule "I", 2 pages)

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

* * *

Schedule "A" to Report No. 101
(Page 1)

OCT

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DATE: October 1, 1979.

SUBJECT: LEASE - KINGSTON JAYCEES - PORTSMOUTH OLYMPIC SITE

ORIGIN: Request from Kingston Jaycees to be released from their lease at Portsmouth Olympic Harbou building (see attached letter).

ANALYSIS: This request does not present too much troubl for our operational tasks. The site seems to be reasonably easy to rent and our loss for 1979 would amount to $150.00 if we didn't get an immediate replacement.

ALTERNATIVE: Hold them to their lease, which does not seem right and/or ask them to stay on until the en of our fiscal year.

FINANCIAL CONSIDERATIONS: Loss of rent for 1979 of approximately $150.0 which could be offset with a new tenant.

RECOMMENDATION: Release this service club from its lease obligations, as requested; inform other tenan of the site about the vacancy, and if no resp advertise space immediately.

Douglas R. Fluhrer,
Commissioner.

DRF/sw
Attach.

Schedule "A" to Report No. 101
(Page 2)

OMMISSIONER
OUGLAS R. FLUHRER

CORPORATION OF THE
CITY OF KINGSTON
DEPARTMENT
OF
PARKS & RECREATION

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3

October 1, 1979.

Mr. R. T. Emerson,
President,
Kingston Jaycees Inc.,
Portsmouth Olympic Harbour,
53 Yonge Street,
Kingston, Ontario.

Dear Sir:

Re: Lease - 53 Yonge Street

This acknowledges receipt of your letter dated September 5th, 1979, and received September 28th, 1979, regarding the above.

I sympathize with your situation and am sorry your well intentioned plans did not work out.

I will recommend to the Chief Administrative Officer, and through him to Council, that you be released from the lease obligations as of October 31st, 1979.

We continue to enjoy our association with you and your organization and appreciate the good work done by the Kingston Jaycees.

Yours truly,

Douglas R. Fluhrer,
Commissioner.

DRF/s

c.c. R. J. Hamilton, C.A.O. w/attach.
Lee Shipp w/attach.

Schedule "A" to Report No. 101
(Page 3)

CANADA
JCI

kingston jaycees inc

CHARTER MEMBER 1947
JUNIOR CHAMBER INTERNATIONAL
PORTSMOUTH OLYMPIC HARBOUR
53 YONGE ST.
KINGSTON, ONTARIO
K7M 6G4
TELEPHONE: 542-3454

Leadership
Training

Community
Betterment

Canadianism

Civic
Responsibility

Fellowship

September 5, 1979

Dear Sir,

In reference to our previous telephone conversation, please accept this letter as notice to terminate our lease at 53 Yonge St., Portsmo Olympic Harbour, as of October 31,1979.

As previously discussed, our desire to terminate the lease is base the fact that we feel the rental expense is not justified from a publi point of view.

Considering that the majority of our funds are derived through publ donations, I am sure you can agree with us.

Sincerely,

R.T. Emerson, Preside

Treasurer

SCHEDULE "A" TO REPORT NO. 107 (Page 1)

THIS INDENTURE made the 22nd day of November, 1976, as amended the 8th day of December, 1976.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "Lessor")

OF THE FIRST PART

- and -

THE KINGSTON JAYCEES
(hereinafter called the "Lessee")

OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee to be paid, observed and performed, the Lessor hath demised and leased and by these presents doth demise and lease until the Lessee two hundred and forty-seven (247) square feet of office space, in the building known as the Portsmouth Olympic Harbour Park building, in the City of Kingston in the Province of Ontario, as shown on the attached Schedule "A";

TO HAVE AND TO HOLD the said demised premises for the term of five years, to be computed from the first day of January, 1977, and from thenceforth next ensuring and fully to be complete and ended;

YIELDING AND PAYING therefor until the said Lessor commencing January 1st, 1977, the sum of Eight Hundred and Sixty-Four Dollars and Fifty Cents ($864.50) annually, calculated at $3.50 per square foot, inclusive of heat, light and water payable in advance in twelve equal post-dated cheques at the beginning of each and every calendar month during the term of this lease. The annual rental rate shall be adjusted by the same percentage change as the change in Consumer Price Index of Statistics Canada between January 1st, 1977 and January 1st, 1978 and every twelve months consecutively thereafter until the completion of this lease and any extension thereof.

THE SAID LESSEE COVENANTS AND AGREES WITH THE SAID LESSOR AS FOLLOWS:

1. That it will pay the rent reserved at the time or respective times hereinbefore limited for the payment thereof without any deduction whatsoever;

2. That it will not, during the continueance of this Lease, transfer, assign or sublet the said premises;

3. That, having inspected the appurtenances thereto belonging, accepts the said premises and appurtences in their present condition and state of repair;

4. That the monthly payment calculated at $3.50 per square foot per year includes heat, light and water.

5. That at its own risk and expense, it will carry out all repairs and maintenance necessary to place and maintain the premises and appurtences thereto belonging and all equipment therein in proper working condition sufficient for its purpose and that at no time during the currency of this Lease shall the Lessor be called upon to repair, maintain or replace any part of the premises demised herein, or the appurtenances belonging thereo; and the Lessor shall not be liable for any personal injury or property damage, however arising, in connection with the use or occupancy of the said land and premises;

6. That the Lessee does hereby covenant and agree for itself, its heirs, executors and assigns, to indemnify and keep indemnified the Lessor against all actions, suits, claims and demands which may be brought or made against the Lessor and against all loss, costs, damages, charges or expenses whatever which may be sustained, incurred or paid by the Lessor in consequence of the above mentioned Lease.

The Lessor covenants and agrees with the Lessee that upon the Lessee paying the rents and performing the covenants herein contained on the part of the Lessee to be paid and performed, the Lessee shall and may peaceably and quietly enjoy, the said premises without molestation, hindrance or disturbance from or by the Lessor or any person or persons claiming through or under it;

7. To take out, pay for and keep in force and file with the Lessor a policy of insurance which shall cover bodily injury liability and property damage liability for the area leased and for the users of the area arising from the use or occupancy of the demised premises in the amount of $500,000.00 and in a form satisfactory to the City Solicitor.

IT IS UNDERSTOOD AND AGREED:

(1) That the Lessee will pay for any alterations needed to suit the space for its occupancy, that it will provide to the Lessor details of all alterations proposed and withhold commencement of any work until the written consent of the Lessor is obtained, that all such alterations to the said premises shall be maintained by and at the sole cost of the Lessee, to the satisfaction of the Lesser and that all permanent improvements made by the Lessee shall become the proeprty of the Lessor or vacating the premises without payment of penalty;

(2) That the Lessor or its duly authorized agent, upon suitable notice and at reasonable times, shall be permitted to enter and examine the state of repair of the premises;

(3) That the premises shall be used solely as offices and for purposes incidential thereto;

(4) That the Lessee will pay for caretaking services.

IT IS MUTUALLY AGREED that if the said premises hereby leased are at any time during the said term wholly or partially destroyed by fire or otherwise so as to render them untenantable, the rent shall forthwith become payable up to the time of such destruction and the term hereby created shall forthwith terminate, but if the premises are only partially destroyed, the term shall not terminate if the Lessee agrees in writing to the continuance thereof and the Lessor forthwith repairs and makes the premises fit for the purpose of the Lessee, but the rent reserved up to the time of the said destruction shall forthwith be payable by the Lessee and the proportionate part of the rent reserved shall abate until the premises have been made fit for the purpose of the Lessee;

AND IT IS HEREBY AGREED between the parties hereto that should the Lessee remain in possession of the said premises after the termination of the term hereby granted, without other special agreement, it shall be as a monthly tenant only, at the 1982 rental, with the monthly rental rate adjusted by the same percentage change as the change in the Consumer Price Index of Statistics Canada on December 1st 1981 and every twelve months consecutively thereafter until the completion of this lease and any extension thereof.

IT IS FURTHER MUTUALLY AGREED that in case the rent reserved or any part thereof is in arrears for the space of one calendar month or in case default is made in the fulfillment of any covenants on the part of the Lessee, whether express or implied, and is continued for the space of one calendar month, the Lessor may enter upon and take possessio of the demised premises or any part thereof in the name of the whole and the same repossess and enjoy as of its former estate and the term hereby granted shall thereupon cease and determine;

THAT these presents and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their executors, administrators, successors and assigns.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

THE CORPORATION OF THE CITY OF KINGSTON

Signed, Sealed and Delivered
In the Presence of

_______________ Mayor

_______________ Clerk-Comptroller

THE KINGSTON JAYCEES

Schedule "B" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 21-3 . 2

October 2, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: PENALTY ON TAX ARREARS

We are forwarding herewith a request by the City Treasurer, to increase the Penalty provision from 12% to 15% in order to attempt to offset the fact that people prefer to not pay their taxes rather than borrow from the Bank at 15%.

Council will recall that our current arrears is relatively high and has been in the increase in 1978 and 1979 which suggests that if the City wishes to offset this situation we must increase the penalty.

The value of tax arrears on our annual financial statement is some concern and primarily to purchasers of our Bonds.

We therefore would concur with the recommendation at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "B" to Report No. 101
(Page 2)

OCT 1 197

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

DATE: October 1, 1979

RE: Penalty on Tax Arrears

ORIGIN: City Treasurer

ANALYSIS: Citys' tax arrears during 1979 are greater than in the preceding two years as follows:

	Per Capita Arrears		
	1979	1978	1977
May	$71.51	$60.31	$52.17
June	58.75	47.12	41.95
July	50.78	41.04	35.34
August	44.13	33.79	31.67

The percentage differential between 1978 and 1979 has been increasing in recent months due to the increase in the bank borrowing rate. With the most recent increase in the bank prime rate to 13%, businesses must pay at lease 15% at the bank for their money. Since the City's penalty on taxes is only 1% per month (12% per annum) which is not compounded, it is to the businesses advantage to avoid paying their tax and use this money for working capital.

The Province amended the legislation this year to permit municipalities to charge 1 1/4% per month interest (15% per annum). The present penalty of 1% per month has been in effect for 23 years and was quite adequate when the bank borrowing rates were considerably lower than our penalty charge.

. . . . ./2

Schedule "B" to Report No. 101
(Page 3)

TO: R. J. Hamilton

October 1, 1979

The following is an alysis of tax arrears which shows that 84% of the tax arrears owing are by people who own more than one property or are in business.

	Number of Owners or Businesses	Dollar Arrears	% Of Arrears
Owner Occupied	638	$425,661.	16
Business, Commerce & Owners of Multiple Properties	1,299	2,221,188.	84
	1,937	.$2,646,849.	100%

ALTERNATIVE: If the penalty on taxes is not increased and the trend of arrears continues to rise, the city's cost of borrowing long term funds can be affected since one of the main criteria used by the bond dealers in evaluating a municipalities ability to repay the debt is the tax arrears. If this results then the local taxpayer will have to assume the extra cost for debt charges.

RECOMMENDATION: That by-law 6 be amended to increase the penalty and interest on taxes from 1% per month to 1 1/4% per month effective December 1, 1979.

Schedule "C" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 21-3.2

October 2, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: TAX PREPAYMENT CERTIFICATES

Members of Council must be aware, that if Mr. Cousens, City Treasurer, is to compete with the existing rates presently paid by the Banks for deposits etc. it goes without saying, the City will have to allow a greater discount than the existing 8%.

Council will note that the present prime rate is 13% and the amounts paid on True Savings Accounts have increased substantially in the last few months.

We would therefore concur with the recommendation set out by Mr. Cousens in this regard.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "C" to Report No. 101
(Page 2)

OCT 1 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

DATE: October 1, 1979

RE: Tax Prepayment Certificates

ORIGIN: City Treasurer

ANALYSIS: Present by-law allowing discount on tax pre-payments allows maximum of 8% per annum discount. This rate is unrealistic under current economic conditions. Provincial legislation has been amended to allow up to 12% per annum discount.

ALTERNATIVE: If by-law is not changed, city will be unable to sell pre-payment certificates under present economic conditions.

EXISTING POLICY: Accept pre-payment of taxes to finance city until taxes are due.

FINANCIAL CONSIDERATIONS: Pre-payments received in 1977 under good economic conditions amounted to $1,245,364. During 1978 even at 8% we sold $1,082,857. With the changes in economic conditions at the present time, it is necessary to change the by-law, noting that the present bank prime rate is 13%.

RECOMMENDATION: That a by-law be presented to Council to amend by-law 99 to authorize the City Treasurer to allow a discount on prepayment of taxes of up to 12% per annum.

BGCousens

Schedule "D" to Report No. 101
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: October 3rd, 1979.

SUBJECT Banner - Princess Street

ORIGIN Request from the Hadassah Auxiliary to erect a banner across Princess Street between Montreal and Sydenham Streets, for the period October 24th to November 8th, 1979.

ANALYSIS
1) The purpose of the banner is to advertise the Hadassah Anxiliary Bazaar, to be held on November 7th, 1979.
2) City Council has, in past years, granted permission to erect a banner to advertise this annual event.

RECOMMENDATION That, notwithstanding the provisions of By-law 10, permission be granted to the Hadassah Auxiliary to erect a banner across Princess Street between Montreal and Sydenham Streets, for the period October 24th to November 8th, 1979, to advertise the Hadassah Auxiliary Bazaar on November 7th, 1979.

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "D" to Report No. 101
(Page 2)

HADASSAH - AUXILIARY

ueen Esther Hadassah
Kingston, Ontario
Beth Israel Auxiliary

BAZAAR

63 Gibson Avenue,
Kingston, Ontario.
K7L,4R1
546-1576.

Mr. K. Linseman, Administrator,
Traffic & Streets,
City Hall,
Kingston, Ontario.

Dear Mr. Linseman:

Pursuant to our recent telephone conversation, regarding placement of the banner advertising the Hadassah -Auxiliary Bazaar, I am writing to obtain your permission forthe banner to be attached to the Grand Theatre and to the Esco buildings.

I have been in touch with Mr. Shurtliff of the Public Utilities, who sees no objection, as well as with Mr. Esco and a lady from the Grand Theatre, who informed me that their banner will be down by October 14.

We would appreciate having our banner in place for two weeks prior to bazaar date, November 7th. Beginning Wednesday, October 24.

Please aceept our thanks for your interest and support.

Sincerely yours,

Diana Abramsky

Diana Abramsky
Publicity

Schedule "E" to Report No. 101
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, P.Eng., M.Sc., Administrator, Traffic, Streets and Parking Department.

DATE: September 28th, 1979.

SUBJECT Proposed Parking Permits for Single and Two-Family Residential Streets, to Exempt Residents from No Parking Regulations on Their own Block Between April 1st and November 30th Annually

ORIGIN Council resolution for report (attached).

ANALYSIS

1) It should be pointed out that at the request of Alderman Miller and agreed upon by Alderman Knapp, this report was deferred.

2) The period suggested for the permit system is when cars are allowed to park overnight on the streets. The Traffic Department has received very few complaints from residents between April 1st and November 30th in the past twenty years.

3) If a resident can find a parking space off-street for four months of the year, that is, between December 1st and April 1st, then surely the resident can find satisfactory parking during the other eight months when street parking is permitted

4) It would be very difficult not to provide parking stickers to tenants who do not have off-street parking available, if other residents in the area were provided a parking permit.

5) The motion of Alderman Knapp and Alderman Miller would not help Sydenham Ward because the area between Queen's University and the downtown area is basically Zone B, three to six family apartments.

6) Due to a narrow width, many streets have parking prohibited all day on one side. Permitting residents to park in these no parking areas by means of a parking permit could cause serious traffic problems; for example, Brock St. or Johnson St. Permitting residents only with permits to park in no parking areas would cut the capacity of Brock St. and Johnson St. by fifty percent. It does not matter how many cars, even if only one or two permit cars park, the traffic lane would be effectively blocked. Many other streets, such as Rideau St., Montreal St., King St. and Union St., would be seriously affected by such a proposed parking permit system.

7) A permit system could have an adverse effect on the public transit system which can only move as fast as the cars on the street.

8) A permit parking system would encourage on-street parking, which is very undesirable not only from a traffic and safety viewpoint, but from an aesthetic viewpoint. To Kingston's credit, an effort has been made not only to preserve historical buildings but also to encourage renovation of old buildings. Likewise, Kingston should make every effort to provide a pleasant streetscape relatively free from parked cars. With parking restrictions in Sydenham Ward during recent years, a vast improvement in the appearance of streets has been achieved. Many streets looked like drab parking lots prior to the parking regulations. It would be a shame to turn these pleasant residential streets into parking lots again.

9) Fundamentally, it is the responsibility of each motorist to find his own parking space. It is not the responsibility of the City or any other agency to find an on-street space for a tenant or a resident.

10) If the area of concern is the Sydenham Ward area, it is respectfully suggested that a permit system will attract more parkers and encourage the many students in the area who have rented because of the area's proximity to Queen's University to bring their cars and park on the street for a nominal amount, especially during the fall term from September to December 1st. It would also encourage the many summer sub-tenants in the area to park on the street rather than off-street. For example, there have been many instances where tenants of an apartment building with a parking lot prefer to park on the street, if permitted, because it is more convenient and more accessible.

11) If the area of concern is Sydenham Ward and one of the purposes is to encourage families to return to the area, it is also my submission that families, especially with young children, do not want to live on streets that are lined with parked cars. There is no greater danger for the children of our City than parked cars on a street. Children are carefree, and careless at times, and it is instant death if a child runs from between parked cars into the path of a vehicle. This past summer Kingston suffered the loss of a small child who ran between parked cars on Bagot St. into the path of an oncoming vehicle. If there had been no parked cars in that area of the street that child may still be alive today. Over the years other Kingston children have been killed by running between parked cars into the path of a vehicle. Parking permits encourage all day parking and, as a result, would make the Sydenham area an unsafe place for children to live and play.

Schedule "E" to Report No. 101
(Page 3)

12) If one of the concerns of Sydenham Ward is the interrupted parking regulations, it would be more feasible to relax these regulations, either to a time limit control of parking or to reduce the turnover time to once a day. For example, parking could be prohibited from 11 a.m. to 2 p.m. on one side and permitted on the other side during this time period. However, the existing regulations were implemented only after a survey of the residents and, basically, with their concurrence. Although a very few people may not be happy with the regulations, the vast majority of the residents are satisfied. No matter what the regulations are there will never be 100% agreement with any parking regulations, even permit parking.

13) The proposed provision of exceptions to parking regulations for residents is contrary to the principle that streets are public and regulations should apply to all persons, whether residents, non-residents or visitors.

14) If permit parking is permitted, visitors and other motorists on the street may be trapped into parking becuase they see other cars parked on the street and may not examine the signs closely. The signs themselves could possibly be confusing, noting "No Parking", then noting "Permit Holders May Park". One example of where some motorists have felt trapped has been in loading zones, despite the signs stating "Trucks Only".

15) Some residents may wish a permit even though the driveway contains two parking spaces, in order to avoid moving the second car so that the first car can get out.

16) Perhaps the City should investigate developing two small off-street parking lots in Sydenham Ward in order to provide parking sites to those very few single family residents who do not have off-street parking. Some interior areas of blocks are used very inefficiently or not at all.

17) If Council should decide to provide permit parking, it should be at a rate of at least fifteen dollars per month, and preferably more, in order to discourage those residents or tenants who may find it more convenient and offer strong excuses in support of a parking sticker.

18) An on-street parking permit system may encourage some apartment owners to use their off-street parking area for building expansion or landscaping a back yard, rather than for parking.

19) A survey of other cities of our size revealed that they have not provided a parking permit system.

20) Many Sydenham Ward tenants who do not have cars have rented apartments in this area because it is convenient to walk to the downtown area, Queen's University, Kingston General Hospital, the parks and the waterfront. This natural attraction of many tenants without cars into Sydenham Ward would likely be upset. Future tenants with cars will become attracted to the area if low-cost permit parking is permitted on the street.

Schedule "E" to Report No. 101
(Page 4)

21) In thirty-three blocks studied south of Brock Street and east of Frontenac Street, about 4,400 people, of which 2,200 are students, live in this area. If a permit system is adopted, Kingston streets could become a parking lot for Queen's students and professors.

22) About the only recent parking complaint that I have received from Sydenham Ward residents is that professors cannot obtain a parking sticker from Queen's University because they reside too close to Queen's. I would suggest that these people obtain a permit for the Court House parking lot, where they can easily drive to and walk the remaining two blocks. They have to find an alternate site during the winter months anyway.

23) As requested, comments on Alderman Knapp's report are as follows:

(a) I concur that any resident sticker should not be issued unless the residents do not have off-street parking. However, it would be very time-consuming and very costly to check out each resident and tenant who applies for a sticker. It would be necessary to hire another employee if the proposed parking permit system is implemented at the present time. Due to financial constraints, the Parking Department has been operating with a minimum staff because Mr. Gorsline was not replaced after his retirement.

(b) The suggestion that private residences may apply for a maximum of two stickers, whereas apartment tenants cannot, might be considered discriminatory against tenants of large apartment units where a family has two or more cars.

(c) I concur that any resident sticker should not apply to trucks or commercial vehicles; however, what does one consider a van or small pickup truck which is used as the sole means of transportation by a tenant or resident who does not have an off-street parking space?

COMMENDATION 1) That no action be taken on the proposal of parking permits for single and two-family residential streets to exempt residents from no parking restrictions.

2) That those few single and two-family residents who do have a parking problem be referred to the Traffic Department for assistance in solving their parking problem.

3) That the Traffic Department, after being informed of the extent of the single and two-family parking problem, investigate the feasibility of the City establishing two small interior parking lots in Sydenham Ward, to be paid by resident users through a monthly charge.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "E" to Report No. 101
(Page 5)

MEMORANDUM

TO: Mr. K. G. Linseman, Traffic, Streets & Parking Administrator,

FROM: M. C. Healy, City Clerk,

DATE: May 29, 1979,

RE: Parking by Residents in "No Parking" Areas on Streets Zoned for One and Two Family REsidences

The following Notice of Motion was presented at the regular meeting of City Council held on May 28, 1979, for consideration of Council at the next meeting to be held June 4, 1979.

In the meantime this resolution was referred to the Traffic, Streets & Parking Administrator for a report thereon to the Chief Administrative Officer as soon as possible.

" Moved by Alderman Knapp,
Seconded by Alderman Miller,

That By-law No. 24 be amended to provide:

(A) That residents on one or two family residential streets be exempt from the "no parking" restrictions on their own block of a street;

(B) That for purposes of identification, and to prevent abuse, residents be issued one residency sticker at a cost to be determined by the appropriate City Department; (To cover printing & labour costs)

(C) That they be allowed to apply for a second sticker for an additional surcharge;

(D) Further, that this residency sticker expire simultaneously with the introduction of winter parking restrictions ; and

(E) Further that application for these stickers be done annually. "

MHealy

M. C. Healy,
City Clerk

H*a

c.c. Mr. R. J. Hamilton, C.A.O.,
Mr. B. G. Cousens, City Treasurer,
Mr. G. G. Muirhead, Director of Planning & Urban Renewal,
Mr. N. Jackson, City Solicitor.

Schedule "E" to Report No. 101
(Page 6)

ty Clerk
f. No. 21-5

MEMORANDUM

): Mr. K.G. Linseman, Traffic, Streets & Parking Administrator

ROM: M.C. Healy, City Clerk

TE: June 8th, 1979

: Parking by Residents in "No Parking" Areas on Streets Zoned for One and Two Family Residences

---

Further to my memorandum of May 29th, I wish to notify you at Council, at its meeting held June 4th, 1979, requested that u report on the Notice of Motion as soon as possible to the ief Administrative Officer, and that you also consider, at the quest of Alderman Knapp, the following points in connection th your preparation of the requested report:

The "Residency Stickers" are restricted to those dwellings that DO NOT have provision for parking such as a garage and/or driveway. The lack of such facilities is to be recorded on the application and the applicant subject to a fine for false information.

Each dwelling may apply for a maximum of two residency stickers with the exception of apartment buildings.

For purposes of this By-Law an apartment building shall be one that contains two or more separate dwelling units.

Where apartment buildings exist as non-conforming uses in one and two family zone areas; and in those select cases where parking HAS NOT been provided; then each apartment unit may apply for a maximum of ONE residency sticker;

These "Residency Stickers" shall become invalid if used on trucks and/or commercial vehicles;

Residency stickers are to be prominently displayed in the rear window of the vehicle.

M.C. Healy,
City Clerk

mh

Mr. R.J. Hamilton, Chief Administrative Officer
Mr. B.G. Cousens, City Treasurer
Mr. G.G. Muirhead, Director of Planning & Urban Renewal
Mr. N. Jackson, City Solicitor

Schedule "F" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. L-16

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

M E M O R A N D U M

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: October 5, 1979

RE: Application by John L. Smith to the Cataraqui Region Conservation Authority to place fill in an area of the City of Kingston

The above noted application has been made to the Cataraqui Region Conservation Authority, who have the proper jurisdiction unde The Conservation Authorities Act to grant permits for the placing of fill. The application to place fill has been referred to the City of Kingston for comment, in that 46 acres of the 180 acres mentioned in the fill permit application are within the City limits. The City's comments are being asked for, but it is to be noted that the decision with respect to the actual filling of the lands will be mad by the Cataraqui Region Conservation Authority. Any comments made by the City may, or may not, be accepted by the Conservation Authori

This application involves lands that, as Mr. Trumpour has indicated in his letter, were the subject of previous litigation. This took place before my tenure, but I believe from reviewing the files that the following is a fair summary. Mr. Smith applied to the Conservation Authority several years ago for a fill permit which was refused by the Conservation Authority. Mr. Smith appealed, pursuant to the Act, to the Mining and Lands Commissioner of Ontario The City of Kingston was not involved in the hearing before the Mining and Lands Commissioner, who saw fit to make an Order allowing Mr. Smith to fill some of his lands. Litigation followed because there was some question as to how much land the Mining and Lands Commissioner intended to be filled. The City of Kingston brought an application for judicial review to the Divisional Court of Ontario.

.../2

Mr. R.J. Hamilton,
Chief Administrative Officer

October 5, 1979

This Court ruled that the City of Kingston did have standing and that the matter should be referred back to the Mining and Lands Commissioner for a fresh hearing. The Court indicated that the application was to be brought back on by John L. Smith, with notice to be given to both the City of Kingston and the Cataraqui Region Conservation Authority. It is to be noted that no application has been made by Mr. Smith in the interim to bring this matter back on for a hearing.

It would seem proper at this point in time for Mr. Smith to recommence proceedings at the level of the Conservation Authority since the previous permit would now have expired in any event, and any further deliberations on it by the Mining and Lands Commissioner could only lead back to the Conservation Authority, who would have to renew the permit in any event.

The jurisdiction of the Cataraqui Region Conservation Authority is set out in The Conservation Authorities Act, R.S.O. 1970, Chapter 78. Paragraph (f) of subsection (1) of Section 27 of this Act states that:

> "Subject to the approval of the Lieutenant Governor in Council, an authority may make regulations applicable in the area under its jurisdiction prohibiting or regulating the placing or dumping of fill of any kind in any defined part of the area over which the authority has jurisdiction in which in the opinion of the authority the control of flooding or pollution or the conservation of land may be affected by the placing or dumping of fill."

Regulation No. 109 under The Conservation Authorities Act states in Section 4 that:

> "Subject to The Ontario Water Resources Commission Act or to any private interest, the Authority may permit in writing the placing or dumping of fill in any area described in the Schedule if, in the opinion of the Authority, the site of the placing or dumping and the method of placing or dumping will not affect the control of flooding or pollution or the conservation of land."

If City Council wishes to make a comment which will have an effect on the application for the fill permit, its comment should be related to the jurisdiction possessed by the Conservation Authority under the Act and Regulation. The jurisdiction would appear to be related to the following matters, as set out in the Act and the Regulation: the control of flooding or pollution or the conservation of land. Section 4 of the Regulation would appear to be permissive in that the word "may" is used. However, when referring back to

.../3

Mr. R.J. Hamilton,
Chief Administrative Officer October 5, 1979

Section 27 of the Act, I do not beleive that the Conservation Authority would have additional powers other than the three set ou The Planning Board resolution which was before City Council does not seem to address itself specifically to these powers. Should the City have some concern respecting the control of flooding or pollution that may result from the filling of the subject property I would suggest that these types of matters be set out. The other power that the Authority possesses with respect to the refusal of permit is the conservation of land. This term is not defined in the Act or Regulation, and I would suggest that its meaning is probably related to the other terms uses in the section, which are flooding and pollution. If land is being filled and the result of this fill is that other lands will be flooded or pollution will occur or other existing lands may not be conserved, then the Authority would have the right to refuse a permit. The term, "conservation of land" is, however, open to some difference of opinion as to its exact meaning and as to how far the Authority could go in refusing a permit under this term.

It does appear to me, however, that even given the wides interpretation of the term, "conservation of land", that certain parts of the resolution before Council would not be within the meaning of the term, and therefore beyond the jurisdiction of the Conservation Authority, which parts are as follows:

1. The intent of the resolution would appear to present policies of the City of Kingston as set out in its Official Plan. These Official Plan policies, although relevant to the application are passed under The Planning Act. The Conservation Authorities Act and its Regulations are not stated to be subject to The Plannin Act and therefore it stands on its own. It is interesting to note that paragraph (b) of subsection (2) of Section 27 of the Act state that:

> "No regulation made under this section shall interfere with any rights or powers conferred upon a municipality."

The municipality's rights under The Planning Act are exercised by virtue of Official Plan amendments which are subject to the approva of the Minister of Housing. These Official Plan goals are then implemented by zoning by-laws and, of course, no buildings can be erected that are not in conformity with the zoning by-law. Therefore, The Planning Act has its own means of effecting control of land use. Under the terms of The Planning Act, I understand that o the 46 acres in the City, approximately 6 have been zoned flood pla and that 40 have been zoned private open space. The intent of the resolution would therefore, insofar as its reference to hazard land is concerned, and the policies relating to these hazard lands, be primarily related to the 6 acres of flood plain zoning.

.../4

Schedule "F" to Report No. 101
(Page 4)

Mr. R.J. Hamilton,
Chief Administrative Officer

October 5, 1979

2. The second page of the resolution indicates certain techniques that may be employed by a municipality. It should be understood that these techniques are to be used under The Planning Act and there is not necessarily any requirement that they have application upon an application for a fill permit under The Conservation Authorities Act.

3. I believe the resolution to be erroneous when it states that prior approval is required from a municipality. There is nothing in The Conservation Authorities Act that requires prior approval or even notice to a local municipality. Notice is given on what would appear to be a courtesy basis. This is not to say that the City would not have some standing in any hearing, either before the Cataraqui Region Conservation Authority or a higher Court, since the Divisional Court has held that the City did have standing to have the matter previously reviewed.

4. Of most concern to me is the statement in the Council resolution that if the City acts to purchase the land after a fill permit is issued, they will have to pay for the enhanced value of the land. There is in this statement a suggestion that the permit should be refused by the Conservation Authority on the basis that the City will be able to purchase the land if it has not been filled for a lower price. This, to me, is not within the jurisdiction of the Conservation Authority, and taints any valid objections that the City may have. In my opinion, it would lead a Court to suggest that the action of the City was in bad faith. I am aware that the City's Official Plan indicates that the City may acquire certain hazard lands, but would suggest that they can exercise such a power other than in the fashion proposed.

In conclusion, I would suggest that the City carefully consider the application, addressing itself firstly to which portions of the application it is primarily concerned with, (presumeably the lands zoned flood plain); secondly removing the reference to land acquisition; thirdly removing reference to the prior approval from a municipality which is not, in fact, required; and fourthly, pointing out how the relevant Official Plan policies could be achieved with respect to those matters that are under the jurisdiction of the Authority to grant the fill permit. Such flood plain management techniques that are under the authority of The Conservation Authorities Act could be suggested in the City's comments. If they are to be given any credence they should be backed up by such detail as would be necessary, should such details be available, and the City could then ask to be present at a hearing before the Authority respecting this fill permit.

Norman C. Jackson,
City Solicitor

NCJ/ks

Schedule "G" to Report No. 101
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator.

DATE: October 4th, 1979.

SUBJECT Energy Rate for Street Lights

ORIGIN Resolution of the Borough of Scarborough (attached)

ANALYSIS
1) It would be desirable to reduce illumination during the early morning hours through the use of timing and dimming devices.
2) At the present time there are no devices on the market.
3) A commitment from Ontario Hydro to establish an energy rate for street lights may encourage the development of such devices.
4) The P.U.C. were contacted for comment and advise that the Commission concurs with the resolution from the Borough of Scarborough (letter attached).

RECOMMENDATION That the City of Kingston endorse the following recommendation of the Borough of Scarborough:

"That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to Municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs."

K G Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "G" to Report No. 101
(Page 2)

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

P.ENG., GENERAL MANAGER
C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 09 21

Mr. K. G. Linseman, P. Eng. M.Sc.
Administrator
Traffic, Streets and Parking Department
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Linseman:

Re: The Resolution From the Borough of Scarborough
re - Energy Rate for Street Lights

The Resolution from the Borough of Scarborough was considered at the Commission Meeting on 1979 09 20.

The Commission concurred with the motion from Scarborough. No doubt the City will indicate to Ontario Hydro that Kingston is supporting the Scarborough Resolution.

Yours faithfully,

A. Bowie
Secretary Treasurer

AB:jm

J.J. Poots, A.M.C.T.
Borough Clerk

J.W. Nigh, A.M.C.T.
Deputy Borough Clerk

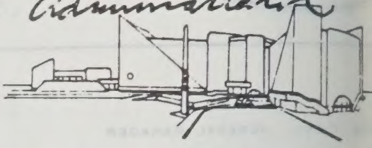
Borough of Scarborough

150 Borough Drive
Scarborough Ont. M1P 4N7
Refer to . S. . Sheridan. . . Telephone (416) 438-. .7288. .

CITY COUNCIL
MEETING OF:
27 AUG 1979

COMMUNICATION
No: 490

Council - To be Refer
The Traffic, Streets & Pa
Administrator



FILE
#19-7

File 1.831-19

August 20, 1979.

TO ALL MUNICIPALITIES IN ONTARIO
With a Population Over 50,000

Re: Street Light Energy Rate

At its meeting of August 20, 1979, the Council of the Borough of Scarborough adopted Clause 6, Report No. 18 of the Works and Transportation Committee, a copy of which is enclosed for your information.

Council requests that you endorse the following recommendations:

(1) That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to Municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs;

(2) That Ontario Municipalities with a population of 50,000 or more be requested to advise the Ontario Hydro that they support the above recommendation.

City of Kingston
RECEIVED
AUG 27 1979
DEPARTMENT OF
THE CITY CLERK

J. Poots

J. J. Poots,
Borough Clerk.

/ss
encl.

Schedule "G" to Report No. 101
(Page 4)

BOROUGH OF SCARBOROUGH

Clerk's Department

ndation embodied in Report No. 18 of the Works and Transportation Committee

by Council at its meeting held on August 20, 1979

6. Street Light Energy Rate

Committee received the following report (August 1, 1979) of the Director of Transportation, viz:

"At the June 28th meeting of Works and Transportation Committee, we were directed to report and recommend methods by which electric energy may be conserved, including the feasibility of adjusting the photo electric control system to reduce power consumption.

Currently the rate charged to the Borough by the Scarborough Public Utilities Commission is established on a province wide scale which is established by the Ontario Hydro and varies by connected load. We can only influence the cost of lighting by adjusting the number of units installed or the wattage consumed. The cost of energy for street lights is estimated to be $804,000 for 1979.

We have already reduced our energy consumption and our energy cost through the conversion of incandescent lamps to mercury vapour. By this action the level of illumination has also been improved, for example, in January 1978 our connected load was 7808 kilowatts at a monthly cost of $63,456. In January 1979 our connected load was 6801 kilowatts at a monthly cost of $63,250. In other words we have held the line on cost and reduced our energy consumption while at the same time the plant was increased because of new residential and industrial areas and in addition the cost of power increased substantially.

It may be possible to further reduce our consumption by reducing the illumination during early morning hours through the use of timing and dimming devices, however, there appears to be a substantial cost attached to such a program including increased maintenance costs. We are advised by the Scarborough Public Utilities Commission that no provision has been made in the province wide rate structure to reduce energy rates to those municipalities that embark on energy saving practises, such as timing and dimming devices, that reduce power consumption in low pedestrian/traffic time periods.

We are presently evaluating the costs and the effect of reducing illumination during early morning hours. Although this will save energy, there is little or no cost benefit to such a scheme until a rate adjustment is available.

Recommendation:

1. That the Ontario Hydro be requested to establish an energy rate for street lights that will provide an incentive to municipalities to reduce energy consumption during certain dark hours and result in a reduction in energy costs.
2. That Ontario Municipalities with a population of 50,000 or more be requested to advise the Ontario Hydro that they support the above recommendation."

COMMITTEE RECOMMENDS adoption of the foregoing report of the Director of Transportation.

Schedule "H" to Report No. 101
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

October 4, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: FUEL HANDLING FACILITIES - PAD NO. 2

We have been meeting with Mr. David Sly of Kingston Air Services and with Mr. Ian McCuaig, Vice-President and Mr. Bill Worthy, Resident Manager of Torontair to discuss the best possible method of moving the Fuel handling facilities from Pad No. 2 at our airport.

The City, through Mr. Jackson's office, are very anxious to sign a proper lease with Torontair, however, the fuel handling facilities must be dealt with before this leas can be finalized. The attached letter from Mr. Stevens dated September 20, 1979, sets out the problems of fuel handling that concerns Torontair.

Throughout our discussion, all three parties were very reluctant to participate in any cost sharing for the removal of the facilities. It was felt that we should all share in the cost based on the benefit to be received in order to resolve this situation.

In dealing with Mr. David Sly, it was felt that both he and the City were the chief beneficiaries from the gas handling facility. Mr. Sly earns revenues through the sale of gasoline and the City receives a surcharge of $6,700.00 per annum based on 2¢ per gallon.

The estimate to move the two gasoline pumps from Pad No. 2 to an area in front of Mr. Sly's operation will be between $5,000.00 and $6,000.00. It was suggested that this cost be shared 50/50 between the City and Kingston Air Services.

...2/

It was further suggested that the main beneficiaries in moving the Turbo fuel pump from in front of Pad No. 2 to an area adjacent to Mr. Sly's operation as well as moving the vent pipes would primarily benefit the city and Torontair. The chief benefit to the city is eliminating a serious safety hazard which is of concern to all parties including the customs people.

It was suggested that Torontair and the City agree to share these costs on the basis of 50/50.

The estimates for this work is between $1,500.00 and $2,700.00. The total cost to the City can therefore be summarized as follows:

Between $3,250.00 and $4,350.00 for the estimated cost of relocation.

We would therefore recommend that the City approve an amount of up to $4,350.00 for this work to be finished as quickly as possible in 1979.

We expect to meet with all parties on Wednesday, October 10, 1979 to confirm action by City Council.

In conclusion, the 1979 budget position was discussed with Mr. Cousens who agreed that the above amount could be absorbed in 1979.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

SEP 19 19

KINGSTON INDUSTRIAL COMMISSION

CITY HALL, KINGSTON, ONTARIO, CANADA
K7L 2Z3

W. DAVID STEVENS
Commissioner of Industries

(613) 546-4291 and 546-123

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: September 20, 1979

RE: AIRPORT - Fuel Handling Facilities

During the meeting September 18, 1979, when we reviewed that portion of the Corporate Air lease agreement respecting fuel handling facilities, it was requested that I explore with Torontair the possibility of a compromise with regard to relocating the four 5,000 gallon fuel storage tanks.

In the absence of Mr. Ian McCuaig, Vice President, Field Operations, this matter was reviewed with Mr. Bill Worthy, Resident Manager, Kingston Operations, and it appears there is the possibility that a compromise can be negotiated.

While Torontair would prefer, as they have stated previously, that the complete fuel handling facility be removed from the property they propose to lease in order to meet the requirements of safety around the site, the concerns of Customs and Immigration and reduce the congestion created by refuelling aircraft in the area required for scheduled aircraft operations, they wish to become established at the Kingston Airport as a good neighbour with other base operators. Therefore, it is felt that Torontair senior officials will agree to the underground fuel storage tanks remaining on the site, providing that all fuel dispensing cabinets be removed.

However, if the fuel storage tanks remain on the site, another problem is created. That is the existing breather pipes are located only a few feet from the edge of the concrete Pad No. 2 which will be occupied by the new building proposed to accommodate Customs and Immigration and Torontair operations. They would, therefore, require that these vent pipes be repositioned so as to provide a greater clearance between the vent pipes and the proposed building.

. . . . /2

R. J. Hamilton, C.A.O. - 2 - September 20, 1979

Re: AIRPORT - Fuel Handling Facilities

The foregoing, of course, will be subject to confirmation by senior officials of Torontair within the next couple of days.

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

c.c. N. C. Jackson, City Solicitor

Schedule "H" to Report No. 101
(Page 5)

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: October 3, 1979

SUBJECT: AIRPORT - Fuel Handling Facilities - Pad No. 2

ORIGIN: By-Law No. 6205 covering lease agreement betwee Wagner Aviation Limited and the Corporation of the City of Kingston for a ten year term, expire December 31, 1978, which provided for the operation of fuel handling facilities on a restricted area between Pad No. 2 and the main apron, Norman Rogers Airport.

ANALYSIS: During the term of the lease for Pad No. 2, Wagner Aviation Limited sold the license to operate a flying school and fuel handling business (marketing rights with Texaco Canada) to Kingston Air Services. The business continue to operate from Pad No. 2 for a short period of time. In June, 1975, Kingston Air Services was acquired by Corporate Air Services, and a lease agreement under By-Law 8539 between Corporate Air Services and the Corporation of the City of Kingston provided for the fuel pumps to be relocated to Pad No. 1. However, the fuel handling facilities were not relocated as provided for, and the operation has continued by Corporate Air Services (operating under the name of Kingston Air Services) from Pad No. 2.

In June, 1977, Otonabee Airways purchased the shares of Wagner Aviation Limited and assumed all liability of the lease for Pad No. 2. Otonabee operated a scheduled airline service and provided space for Customs & Immigration, including a freight warehouse in their premises on Pad No. 2.

The potentially hazardous situation resulting from the mix of pedestrian traffic around the fuel handling facilities at Pad No. 2 and the concern of Customs & Immigration officials about improper traffic separation has been a continuing problem.

By letter dated July 31, 1978, a request was made to the President of Corporate Air Services to relocate the fuel handling facilities, as originally provided for in the lease of Pad No. 1, and that the work be completed by August 31, 1978. To date relocation work of these facilities has not been undertaken.

The lease agreement with Wagner Aviation Limited and subsequently taken over by Otonabee Airways Limited expired December 31, 1978. Otonabee continued to operate a scheduled air service from Pad No. 2 since December 31, 1978, on a monthly basis at an increased rental rate of $150.00 per month. Effective June 18, 1979, Torontair have operated the scheduled air serviced from Pad No. 2 and have paid the rental rate assessed to Otonabee.

R. J. Hamilton, C.A.O.

RE: AIRPORT - Fuel Handling Facilities
- Pad No. 2

.continued

ANALYSIS: Torontair propose extensive renovations to the existing buildings and resurfacing on Pad No. 2. It will be required that Torontair enter into a lease agreement with the Corporation for use of Pad No. 2 before the improvement work can be undertaken. A prerequisite to entering into a lease agreement with Torontair is that the fuel handling facilities be removed from Pad No. 2.

Two meetings with all parties concerned were held to explore possible arrangements for resolving the situation. At a meeting held August 15, 1979, it was evident that the owner of the fuel handling facilities, Kingston Air Services, was not prepared to relocate the facilities at his expense. The owner was then requested to provide information with regard to cost, and Torontair were requested to advise their requirements so that negotiations concerning Pad No. 2 could be undertaken.

At a meeting held October 2, 1979, Torontair confirmed their willingness to accept something less than complete removal of the fuel facilities as detailed in my memorandum dated September 25, 1979, copy attached as Schedule "A".

Kingston Air Services provided an estimate of cost for relocation of the pump facilities and breather pipes as follows:

(It was reported that the estimate of cost was "very rough" and would be confirmed by K.A.S.)

(a)	relocate two - AV gas pumps to Pad No. 1	$5,000.-$6,000.
(b)	relocate one - Jet A1 pump to west edge of Pad No. 2	$1,000.-$2,000.
(c)	relocate vent pipes	$ 500.-$ 700.

In order to negotiate an arrangement for sharing of the cost, it was recommended that

(a) the cost of relocating the AV gas pumps be shared on a 50/50 basis between Kingston Air Services and the City; (Kingston Air Services agreed, with the proviso that the maximum limit of their cost be $3,000.)

(b) the cost for relocating the Jet A1 pump and the breather pipes be shared on a 50/50 basis between Torontair and the City. (to be confirmed by Torontair)

Torontair agreed that the matter of relocation of the four 5,000 gallon underground fuel storage tanks be reconsidered by June 1, 1980, with regard to the possibility of an air terminal (passenger operations building) being available within the next two years.

ALTERNATIVE:

The Corporation of the City of Kingston take over the fuel handling business, which would require installation of a fuel farm to be operated by airport management/or an arrangement made with a base operator for dispensing all fuel at the airport.

EXISTING POLICY:

Since the original installation of static fuel services at the airport by Shell Oil and Texaco, it has been recommended by Transport Canada to not allow further static refuelling installations adjacent to the ramp area. Accordingly, the two 8,000 gallon storage tanks installed by Shell two years ago were placed at the south end of Pad No. 2 and a mobile fuel tanker used from this locatio

FINANCIAL CONSIDERATIONS:

The City presently receives a surcharge of 2¢ per gallon on all fuel dispensed at the airport by three base operators. Total fuel surcharge revenue -

1978	1977	1976
$6,688.44	$3,469.10	$2,892.95

If the City were to operate the complete fuel handling facilities, the cost is estimated to be $100,000.00, which would be offset by a suggested revenue of 20¢ per gallon on all fuel dispensed (based on 1978 volume of 334,362 gallons).

If the cost sharing arrangement is considered, (a) and (b) aforementioned, $6,000.00 could be made available from the Airport Maintenance of Grounds account, since the partial reconstruction of Hangar No. 4 and ramp area has been deferred until 1980.

RECOMMENDATION:

Whereas it has been concluded that the problems surrounding the existing fuel handling facilities located between Pad No. 2 and the apron at Norman Rogers Airport will not be resolved without financial participation by the City; and

Whereas Kingston Air Services have agreed to participate on a 50/50 cost sharing basis with the City for removal of the AV gas pumps, with their cost not to exceed $3,000.; and

Whereas Torontair have agreed to participate on a 50/50 cost sharing basis with the City for the relocation of the Jet A1 pump and breather pipes;

It is, therefore, recommended that the City financially participate with Kingston Air Services and Torontair in relocation of the fuel handling facilities and breather pipes located between Pad No. 2 and the apron at Norman Rogers Airport as set out above, with the City's portion of the cost not to exceed $6,000.00.

Respectfully submitted,

W. D. Stevens

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c
Attachment

SCHEDULE "A"

KINGSTON INDUSTRIAL COMMISSION
CITY HALL, KINGSTON, ONTARIO, CANADA
K7L 2Z3

VID STEVENS
issioner of Industries

(613) 546-4291 and 546-1232

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: September 25, 1979

RE: AIRPORT - Fuel Handling Facilities

Further to my memo of September 20, 1979, concerning the possibility of a compromise with respect to removal of four 5,000 gallon fuel storage tanks from the area of Pad No. 2, we provide the following:

Mr. Ian McCuaig, Vice President, Torontair, telephoned yesterday and advised they have discussed subject matter with Mr. Bill Worthy, and while they would like to see the complete fuel handling facilities removed from the area required for scheduled aircraft and passenger handling, they are prepared to extend the terminating date for use of the storage tanks to June 1, 1980, providing the fuel cabinets are removed now and the vent pipes to the tanks repositioned further away from the proposed building and pedestrian traffic area.

Torontair have recently been advised by the United States Civil Aeronautics Board that their application to provide air service between Kingston - Syracuse, New York has been approved. The service is scheduled to commence October 1, 1979, and the need to clear the area in front of Pad No. 2 to meet the airline's and Customs' requirement is urgent.

A lease agreement with Torontair for the use of Pad No. 2 should now be negotiated without delay in order to permit a start on building accommodation before the winter season sets in.

I would, therefore, suggest another meeting of all parties concerned in order to resolve this matter on the basis of the items noted above.

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

c.c. N. C. Jackson, City Solicitor

Schedule "I" to Report No. 101
(Page 1)

October 9th, 1979.

MEMORANDUM

To: Members of Council

From: Mr. Robert Hamilton, C.A.O.

We are forwarding a copy of a memo from Mr. Jackson dealing with the Marina City Development - Block "C".

You will note that Mr. Jackson is suggesting and recommending that the appropriate date for filing of the plans should be changed from April 1st, 1979 to July 23rd, 1979. Mr. Jackson further suggested without this amendment there would be an inconsistency in the agreement and he therefore recommends that council approve the new date.

RH:a

Schedule "I" to Report No. 101
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. Marina City

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: October 9, 1979

RE: Marina City Development - Block C

At your request I have checked into the status of the roposed development above noted. City Council approved of certain mendments to the development plans in July. This necessitated an mending development agreement which I prepared and sent out to the olicitor for the developer. This amending agreement has not yet een returned to me. I include herewith a copy of a letter which r. Nielsen delivered to me which indicates that the agreement has ow been signed by the Mortgagee. The agreement was previously igned by the land owner. I expect to receive the agreement back his week.

At the same time, Mr. Nielsen indicated to me that all is plans had, in fact, been filed with the City. You will recall hat certain building plans including mechanical and structural rawings were not with the Chief Building Official. Mr. Nielsen ndicated he had filed these plans with Mr. Muirhead's department hen he applied for amendments in July, and in checking with r. Morris, he confirmed this. The building plans have now been ent over to the Chief Building Official so that he can review them.

Section 22 of the existing development agreement for lock C indicates that the company agrees to apply for a building ermit on or before April 1, 1979. When this clause is read with ection 30 which indicates that the running of a thirty day period r the City to issue a permit is not to commence until the City has een provided with all necessary plans and specifications required nder City by-laws and under the Ontario Building Code, it leads me believe that all plans should have been filed before April 1, 1979.

Since City Council has agreed to amendment of the plans n July of 1979, thereby changing the plans, the appropriate date or filing should be changed to July 23, 1979, especially since he plans were, in fact, all filed with the Planning Department nd were accepted by City Counil on a recommendation from the lanning Department. Without this further amendment there is an nconsistency in the agreement and the Chief Building Official ould not be able to issue a building permit.

Norman C. Jackson,
City Solicitor

CJ/ks

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Clements,
Seconded by Ald. Gorham,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTION

Moved by Ald. Lampropoulos,
Seconded by Ald. Timmins,

That the congratulations and support of Council be extended to Joseph Bolton Slack, Chairman of the United Way Campaign for Kingston and District for 1979 and the members of his committee along with the dedicated and hard-working volunteers and wishing them to meet their objective of $465,000 that will support twenty six voluntary community service agencies.

CARRIED

NOTICE OF MOTION

BYLAWS

Ald. Clements declared a conflict of interest with regard to By-Law No. 1.

(A) Moved by Ald. McArthur,
Seconded by Ald. Lampropoulos,

That By-Laws 1 to 5 be given their First & Second Readings.

CARRIED
Ald. Clements abstained from voting

(B) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of giving By-Laws 1 to 5 their Third Reading.

CARRIED
Ald. Clements abstained from voting

(C) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That By-Laws 1 to 9 be given their Third Reading.

CARRIED
Ald. Clements abstained from voting

* * *

(1) A By-Law to Amend By-Law No. 6, "A By-Law Respecting the Payment of Taxes (Increase Penalty and Interest on Taxes from 1% per month to 1¼% per month).

THREE READINGS
Clause 3, Report No. 101 Proposed No. 79-229

BYLAWS (Cont'd)

(2) A By-Law to Amend By-Law No. 99, "A By-Law to Authorize the Treasurer to receive Advance Payment of Taxes to Allow a Discount Thereon" (Increased Discount on Prepayment of Taxes of Up to 12% per annum).

THREE READINGS Proposed No. 79-230
Clause 4, Report No. 101

(3) A By-Law to Authorize the Amendment of a Supplementary Agreement Under the Ontario Municipal Retirement System Act.

THREE READINGS Proposed No. 79-231
(Agreements with C.U.P.E. Locals 109 and 141, Firefighters Association and Supervisory and Key Personnel of the City and of the Public Library Board)

(4) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Temporary Banner Across Princess Street, October 24 to November 8, 1979).

THREE READINGS Proposed No. 79-232
Clause 6, Report No. 101, 1979

(5) A By-Law to Confirm the Proceedings of Council at its Meeting held on October 9, 1979.

THREE READINGS Proposed No. 79-233
City Council Meeting No. 39, 1979

(6) A By-Law to Authorize the Reconstruction of Certain Sidewalks under the General Rate.

THIRD READING Proposed No. 79-175
Clause 6, Report No. 86, 1979

(7) A By-Law to Authorize the Reconstruction of a Concrete Sidewalk 1.5 m Wide in (1) Brock Street North Side from Napier Street to Easterly 112.47 m and (2) Napier Street East Side from Brock Street to Northerly 4.876 m under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-176
Clause 8, Report No. 86, 1979

(8) A By-Law to Authorize the Reconstruction of a Concrete Sidewalk 1.5 m Wide in Princess Street North Side from 24.50 m West of Alfred Street to Westerly 36.42 m under the Provisions of Section 7 of The Local Improvement Act (Petition)

THIRD READING Proposed No. 79-178
Clause 11, Report No. 86, 1979

BYLAWS (Cont'd)

(9) A By-Law to Authorize the Execution of an Agreement with Barbara Pusch, Bruce Antliff and the Canadian Imperial Bank of Commerce (Ontario Heritage Easement - 9 Kennedy Street).

THIRD READING Proposed No. 79-226
Clause 5, Report No. 99, 1979

* * *

UNFINISHED BUSINESS

Acting Mayor Gerretsen said that Queen's University is planning on holding "Kingston Day" at the Football Game on Saturday, October 13th 1979, at George Richardson Stadium. Invitations had been extended to all members of Council and their escorts to attend a soup and sandwich lunch at McArthur College at noon time, approximately 12:30 p.m. Following this reception University dignitaries, City Officials and friends from Bouchervill will parade to the West Grandstand where seats will be provided.

Acting Mayor Gerretsen said that the Intercity Exchange Committee are for the first time hosting a delegation from Boucherville including two groups who will appear at the Grand Theatre on Saturday night. He urged all members of Council to attend. Following the performance, a small reception has been arranged upstairs at the Grand Theatre. On Sunday there will be a noon brunch provided by the Harbour Restaurant followed by a tour of City Hall. He asked members of Council to let the Mayor's secretary or the secretary of the Intercity Exchange Committee know if they planned to attend these functions.

Alderman Clark said that Alderman Tarnowecky had passed around a sheet asking the aldermen to indicate whether or not they planned to attend these functions. He asked if that meant they would not have to notify the Mayor's secretary or the secretary of the Intercity Exchange Committee.

Alderman Tarnowecky said that he would notify the Secretary of the Intercity Exchange Committee of the names of the aldermen who had indicated on the sheet that they planned to attend.

Alderman Miller said that a number of weeks ago she had complained to the by-law enforcement officers about the construction noise late at night at the large building across from City Hall. The by-law enforcement officer investigated and reported to his superior that nothing could be done about it. If an exemption to the by-law had been allowed it should have been brought to City Council for approval.

The Chief Administrative Officer said that he would report on the matter.

Alderman Gorham said that a recent article in the Kingston Whig-Standard with regard to the Paron Project had indicated that Mayor Keyes had said that the Company had not provided the City with plans for the proposed construction on the waterfront. Now Council had received a letter from the City Solicitor in which it was stated that the Company had indicated that the plans had in fact been filed with the City's Planning Department. A check with the Planning Department had confirmed that the plans were there. It is further stated that the plans have now been forwarded to the Chief Building Inspector to see if they are in order and a building permit could be issued. The Company had been criticised for not having submitted their plans and he believed that the apology was in order.

UNFINISHED BUSINESS (Cont'd)

The Chief Administrative Officer said that the plans had been inadvertently left in the Planning Department and had not been given to the Chief Building Inspector until a later date.

Alderman McArthur said that he is concerned about the moving of the bus shelter at the corner of Wilson St. and Weller Avenue. It is proposed to move this shetler to Railway Street. This is the only bus shetler for the senior citizens Home right on that corner. Apparently this decision was made because of vandalism. He questioned why something was not done about this vandalism.

ADJOURNMENT

Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council do now adjourn.

CARRIED

Council adjourned at 11:00 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

CITY COUNCIL MEETING NO. 40

The Regular Meeting of City Council will be held on Monday, October 15, 1979, commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8 p.m.

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
OCT 23 1979

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" the following items:

a) Brief on Policing and Prisons.

(Note: A copy of this brief was previously distributed to all members of Council.)

b) The reports of the Director of Personnel with regard to the following:

i) Retirement Award Program At Or After Twenty-Five Years of Service.

ii) Long Service Award Program.

iii) Feasibility of a Quarter Century Club.

(Note: Copies of the reports of the Director of Personnel were distributed with the agenda to all members of Council.)

c) Land Acquisition - 138 and 106 Rideau Streets.

(Note: A copy of the report of the Chief Administrative Officer was distributed to all members of Council with the agenda.)

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

(Council Chamber)

MINUTES

That the Minutes of Meeting No. 38 held on October 1st 1979 be confirmed.

COMMUNICATIONS

To be Filed

(605) Copy of a letter to Mr. K.J. Murphy, Commodore Motor Hotel, 840 Princess Street, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Murphy's application for basement alterations to the Hotel for a dining lounge No. 2 (55 persons).

File No. 12-6

COMMUNICATIONS (Cont'd)

(606) From the family of the late Marguerite French thanking Council for its kind expression of sympathy.

File No. 3-6

(607) Copy of a letter to Mr. D. Stevens, Commissioner of Industries from Mr. Barry D. Burns, Program Co-Ordinator, Kingston Air Show Committee, thanking Mr. Stevens and Mr. A. Flowers for their contributions and efforts in making this year's air show a success.

File No. 1-2.1-1

Has Been Referred to the P.U.C.

(608) From the Ontario Ministry of Energy informing the City that on November 1, 1979, a one-day seminar will be held at the Ottawa-Centre Holiday Inn, 100 Kent Street, Ottawa, Ontario for the purpose of bringing together elected and appointed municipal officials for an exchange of information and ideas on how to manage energy and save dollars in their building operations. A preliminary programme for the seminar entitled, "Joint Steering Committee on Energy Conservation" was forwarded.

File No. 5-1

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 102 of the City of Kingston Planning Board be received and adopted.

That Report No. 103 of the Chief Administrative Officer be considered.

REPORT NO. 102

October 10th, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS the Ontario Municipal Board decision dated August 8, 1977, with respect to Zoning By-Law No. 8499 was referred by Council to Planning Board for consideration and recommendation; and

WHEREAS this decision indicated that the O.M.B. would not approved the proposed "A" zone for the property of Mrs. D. Geiger on the west side of Maitland Street south of King Street in view of the owner's objection to the minimum lot area provisions for this zone; and

WHEREAS the City subsequently passed By-Law No. 9229 which exempts lots which were the site of existing one or two family dwellings from the minimum lot area requirements of the "A" zone;

THEREFORE BE IT RESOLVED that the City re-apply to the Ontario Municipal Board for approval of the A (One and Two Family) Residential zoning for the property of Mrs. D. Geiger on the west side of Maitland Street south of King Street.

2. WHEREAS Mr. W. Gay applied to have the zoning for 119 Barrack Street amended in order to permit the construction of a 7.6m by 18.3m addition to the existing building and its occupancy by professional offices; and

WHEREAS on July 4, 1979 Planning Board recommended that, in addition to the existing A (One and Two Family) Residential zoning provisions for this property, the Zoning By-Law should be amended to also allow a maximum of 335 m^2 of professional office space with a minimum of 1 parking space for every 56 m^2 of office space; and

WHEREAS on July 23, 1979 Council accepted Planning Board's recommendation and passed By-Law No. 79-139; and

WHEREAS the applicant recently applied for Development Control approval for the proposed addition; however, it has been determined that By-Law No. 79-139 will not accommodate the plans accompanying this application; and

WHEREAS Planning Board is of the opinion that the proposed plans represent an acceptable land use for this location;

THEREFORE BE IT RESOLVED that:

a) By-Law No. 8499 be amended by deleting Section 165 and replacing it with a new Section 165 which shall read in full as follows:

"165. On the approximately 0.04 ha parcel of land located on the north east corner of Barrack and Bagot Streets and designated A.165 on Zoning Map No. 18 attached to and forming part of By-Law No. 79-139 as Schedule 'A':

2. (Cont'd)

a) The permitted uses shall also include professional offices having a maximum total floor area of 435 square metres;

b) The minimum number of required on site parking spaces shall be six;

c) There shall be no front yard, rear yard, side yard or lot coverage requirements.

b) That prior to third reading of the above mentioned by-law, the owner of the subject property shall enter into a binding agreement with the City of Kingston, that prior to issuance of any building permit, site plan and elevation drawings shall be submitted for approval by the City and that development shall take place in accordance with the approved plans.

- and further -

that upon third reading being given to the By-Law, the City Clerk is hereby directed to proceed pursuant to the provisions of Ontario Regulation 597/79.

(Note: This motion presumes that By-Law No. 79-139 will receive O.M.B. approval in the near future, and that the City will seek approval for this amending by-law by way of the recently established regulations under Section 35(23) of The Planning Act. In this way, the by-law could come into effect immediately following the 21 day appeal period if no objections are lodged with the City Clerk).

(See By-Law No. 1: 79-234).

3. WHEREAS Planning Board has received and reviewed a report titled "Open Space for Kingston" which reviews Kingston's present system of open space; and

WHEREAS this report recommends that the City establish Official Plan policies respecting the provision of land, or cash-in-lieu-of-land, for parks purposes, as a condition of residential development or redevelopment, at a rate which is commensurate with the proposed density of the project; and

WHEREAS on March 6, 1979 Planning Board held a public meeting to discuss this matter and approved in principle the concept of requiring parkland in accordance with density of residential development; and

WHEREAS the Ministry of Housing has approved the draft of this proposed Official Plan amendment as to form;

THEREFORE BE IT RESOLVED THAT:

I. The Official Plan be amended as follows:

1. Add to Section 1(96A) the following:

"Council shall require land in residential developments or redevelopments to be deeded to the City for park purposes at the rate specified in Schedule G-1 except where:

3. (Cont'd)

(i) the density of the development or redevelopment is less than 17.3 dwelling units per net residential hectare, in which case the alternative requirement of five per cent of the area of the site shall be applied;

(ii) the land involved is within a plan of subdivision approved in accordance with Section 33 of The Planning Act for which land or cash-in-lieu thereof has previously been conveyed to the City for park or public purposes pursuant to a condition imposed by the Minister; or

(iii) the land involved is to be used by senior citizens, handicapped or other non-profit groups, in which case Council, if in its opinion it is in the public interest to do so, may permit deeding of lands at a lesser rate if additional and community facilities are included;

(iv) the development or redevelopment project involves the replacement or renovation of deteriorated housing, in which case Council, if in its opinion it is in the public interest to do so, may waive deeding of lands or may permit deeding of lands at a lesser rate if additional and community facilities are included.

2. Add the following as Section 1 (96B):

"In accordance with Section 35b (6) of The Planning Act, Council may, at its discretion accept equivalent money-in-lieu-of-land for parks purposes. As an alternative to requiring land in accordance with the foregoing policy Council may accept money where one or more of the following conditions apply:

(i) where the land parcel would be too small or inappropriately located;

(ii) in an area where there already exists an excess of park lands;

(iii) where the condition of the land is such as to be unsuitable for park purposes;

(iv) where no opportunity exists to enlarge existing neighbourhood parks;

(v) where there exists no opportunity to obtain useful waterfront land;

(vi) where the project concerned is a large development which is completely within reasonable walking distance of an existing neighbourhood park, such distance not to be measured along a line crossing an Expressway or an Arterial Road;

(vii) where the project concerned is a large development which, if money-in-lieu-of land were to be required, nevertheless, would not overload the existing neighbourhood parks system; or

3. (Cont'd)

2. (Cont'd)

(viii) the project concerned is not completely or partly within those areas defined in Schedule G-2"

3. Add the following as Schedule G-1:

SCHEDULE G-1

Land Requirements for Parks Purposes

HOUSING TYPE	LAND REQUIREMENT (expressed as multiples of the number of proposed dwelling units per housing type)
One & Two Family Dwelling	30.0 m^2
Multiple Family Dwellings (Other than row dwellings)	17.5 m^2.
Row Dwellings	33.5 m^2

4. Add as Schedule G-2 the plan attached hereto, to the Official Plan. *(See Schedule 'A' attached - 1 page)*

II. That By-Law No. 8820,'A By-Law to Provide for Land for Park Purposes Pursuant to Section 35(b) of The Planning Act', be amended, as required, to implement the policies contained in the foregoing Official Plan amendment.

(See By-Laws 2 and 3 : No. 79-235 and 79-236).

4. That the following recommendation of the Local Architectural Conservation Advisory Committee be endorsed:

"That a By-Law be enacted to designate the Newlands Pavilion, Macdonald Park, as a building of architectural significance pursuant to Section 29 of The Ontario Heritage Act, 1974 for the following reason:

'In 1896 the bandstand designed by William Newlands was built on this important site. It has undergone extensive restoration and is one of the few park buildings of its type in Ontario.'"

(See By-Law 4: No. 79-237).

5. That the following recommendation of the Local Architectural Conservation Advisory Committee be endorsed:

"That the proposed alterations to 193-195 Ontario Street, being a building designated under The Ontario Heritage Act, as shown on the following

---

5. (Cont'd)

drawings prepared by Munro Ploen & Associates Ltd.:

Drawing #4 - Elevations & Details - August, 1979
Drawing #5 - North & East Elevations - August, 1979

be approved.

6. WHEREAS in November, 1977 Council approved Development Control for renovation of retail and office space at the former Bibby's site on Princess Street; and

WHEREAS it has come to the attention of the Board that there are discrepancies between the completed renovations and the approved Development Control plans; and

WHEREAS the owner has submitted an application for amendments to the Development Control Agreement which would permit certain changes to the approved plans for the easterly portion of the buildings; and

WHEREAS in the opinion of Planning Board the revisions are acceptable and refusal would be a hardship to the owner;

THEREFORE BE IT RESOLVED THAT the revisions to the easterly 76 ft. only, of the structure owned by Two Brothers Limited be approved as shown on the following plans prepared by E.A. Cromarty Architect:

Plan #1 - First Floor Plan - Scale 1/8"=1'0" - January, 1979

Plan #2 - Elevation (Princess Street) - Scale 1/8" = 1'0" - January, 1979

and that the development control agreement between the City of Kingston and Two Brothers Limited be amended accordingly.

(Ald. Miller opposed)

7. WHEREAS proposed Official Plan Amendment No. 25 of the Township of Kingston has been forwarded to the City of Kingston by the Minister of Housing, for comment thereon; and

WHEREAS the intent of this amendment is to alter the composition of commercial uses permitted in the Light Industrial - Special Commercial Area designation (west side Gardiner's Road) to include General Commercial uses developed in accordance with Section 3(8) of the Official Plan; and

WHEREAS the proposed Amendment has been considered by the Planning Board;

THEREFORE BE IT RESOLVED THAT the Minister of Housing be informed that the City of Kingston has no objection to Official Plan Amendment No. 25 of the Township of Kingston.

Respectfully submitted,

CHAIRMAN

REPORT NO. 103

October 15, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That as recommended by the City Treasurer, List of Accounts No. 9, dated September, 1979, in the amount of $4,409,202.43 be approved it being noted that the expenditures were incurred under proper authorization.

   (Note: A copy of the List of Accounts was distributed to each Member of Council on October 5th 1979.)

2. That, as recommended by the Commissioner of Works, the Canadian Pacific site be used for nighttime truck disposal of snow and site or sites providing the most economical disposal be used in the daytime-and further-

   That the compensation to the Canadian Pacific in the amount of $1,750 and to the Community Centre Board in the amount of $1,000 be authorized.

   (Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "A", 1 Page.)

3. WHEREAS the Public Transportation and Highway Improvement Act, R.S.O., 1970, as amended, provides that the Clerk of the County shall notify the City not later than the 1st of March of each year of the amount appropriated for construction and maintenance of suburban roads;

   AND WHEREAS it also requires the Treasurer of the City not later than November 1st following to transmit the equivalent amount to the Treasurer of the County;

   AND WHEREAS in preparing the Public Works Current Budget a figure of $74,000 was used being about 8% about 1978 and by the time the City of Kingston Budget was struck the figure of $86,000 was known but Council decided to leave the figure of $74,000 at that time;

   THEREFORE BE IT RESOLVED that Council authorize the increased payment of $86,000 to the County as required under the Public Transportation and Highway Improvement Act, R.S.O. 1970, as amended, and the following budget transfer be approved:

	INCREASE	DECREASE
314-29 Suburban Roads	$12,000.	
315-03 Sanitary manhole repair		$4,000.
315-07 Storm manhole repair		4,000.
315-08 Storm sewer cleaning		4,000.
	$12,000.	$12,000.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "B", 2 Pages.)

4. WHEREAS the addition to the Hotel Dieu Hospital has necessitated the ambulance entrance being temporarily on Brock Street and a bank of snow would prevent ambulances from driving to the entrance when the City plows to the south side;

AND WHEREAS it is the policy of the City that in order to make the cleaning of driveways more equitable, the City would every other snow storm plow to the opposite side of the street;

THEREFORE BE IT RESOLVED that as recommended by the Commissioner of Works notwithstanding the aforementioned policy, for this winter, Brock Street in the immediate vicinity of the temporary ambulance entrance to the Hotel Dieu Hospital be plowed to the north side at all times.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "C", 1 Page.)

5. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Committee organizing a Highland Games or Scottish Festival for 1980 be permitted to use the Loyalist Room on November 7, 1979 at 8 p.m., free of charge.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "D", 2 Pages)

(See By-Law 5: No. 79-238)

6. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Kingston Action Committee on the Status of Women be permitted to hold its celebration of Persons Day on October 18, 1979, free of charge, in Memorial Hall.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "E", 2 Pages)

(See By-Law 5: No. 79- 238)

7. That permission be granted to the Kingston Jaycees to conduct their twenty-third annual Santa Clause Parade on Saturday, November 17th 1979, to lead off from the Kingston Shopping Centre at 10:00 a.m., and proceed down Princess Street to Ontario Street, where the parade will disperse.

(Note: A copy of the report of the Administrator Traffic, Streets and Parking is attached hereto as Schedule "F", 2 Pages)

8. That, as recommended by the Administrator of Traffic, Streets and Parking, the 1980/81 proposed connecting link construction program as outlined in the attached Schedule 1 be approved.

(Note: Copies of the reports of the Chief Administrative Officer and the Administrator of Traffic, Streets and Parking are attached as Schedule "G", 5 pages).

9. That, as recommended by the Administrator of Traffic, Streets and Parking, the following accounts be paid:

   1) Invoice No. 3007 - J.J. MacKay - $37,138.40 for the purchase of eighty duplex VIP parking meters.

   2) Invoice No. 3008 - J.J. MacKay - $10,014.76 for parts etc.

   (Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "H", 1 page)

10. That Paron Construction (Kingston) Incorporated be granted a six month exemption from By-Law No. 9309, "A By-Law of the Corporation of the City of Kingston to Control Noise", except on Sundays and statutory holidays, and except for the operation of concrete trucks and pneumatic hammers between the hours of 11:00 p.m. and 6:00 a.m.

    (Note: A copy of the report of the Administrator of Traffic Streets and Parking is attached as Schedule "I", 5 pages)

Respectfully submitted,

Mr. R. Hamilton,
Chief Administrative Officer.

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTION

BYLAWS

(A) That By-Laws 1 to 6 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Laws 5 & 6 their Third Reading.

(C) That By-Laws 5 & 6 be given their Third Reading.

* * *

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Revise Exceptions in Zone A.165 (One and Two Family) Residential for 119 Barrack Street).

FIRST & SECOND READINGS Proposed No. 79-234
Clause 2, Report No. 102, 1979

(2) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 3: Conveyance of Land for Park Purposes).

FIRST & SECOND READINGS Proposed No. 79-235
Clause 3, Report No. 102, 1979

(3) A By-Law to Amend By-Law No. 8820, "A By-Law to Provide for Land for Park Purposes Pursuant to Section 35 (b) of The Planning Act" (Revise Conditions of Provisions of Land).

FIRST & SECOND READINGS Proposed No. 79-236
Clause 3, Report No. 102, 1979

(4) A By-Law to Designate the Newlands Pavilion in Macdonald Park to be of Historic or Architectural Value or Interest.

FIRST & SECOND READINGS Proposed No. 79-237
Clause 4, Report No. 102, 1979

(5) A By-Law to Amend By-Law No. 21, "A By-Law fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers" (Free Use of Memorial Hall: October 18, 1979 and of Loyalist Room: November 7, 1979).

THREE READINGS Proposed No. 79-238
Clauses 5 and 6, Report No. 103, 1979

BYLAWS (Cont'd)

(6) A By-Law to Confirm the Proceedings of Council at its meeting held on October 15, 1979.

THREE READINGS Proposed No. 79-239
City Council Meeting No. 40, 1979

* * *

UNFINISHED BUSINESS

ADJOURNMENT

CITY COUNCIL MEETING NO. 40

The Regular Meeting of City Council was held on Monday, October 15, 1979, in the Loyalist Room, "In Camera" from 7:05 p.m. to 7:56 p.m. and in the Council Chamber, City Hall at 8:01 p.m. Mayor Keyes presided.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements (arrived at 7:10 p.m.) Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos (arrived at 8:35 p.m.), Ald. Matthews, Ald. McArthur, Ald. Miller (arrived at 7:15 p.m.), Ald. Tarnowecky (arrived at 7:15 p.m.), Ald. Timmins, Ald. Webb (15).

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider "In Camera" the following items:

a) Brief on Policing and Prisons.

b) The reports of the Director of Personnel with regard to the following:

  i) Retirement Award Program At or After Twenty-Five Years of Service.

  ii) Long Service Award Program.

  iii) Feasibility of a Quarter Century Club.

c) Land Acquisition - 138 and 106 Rideau Streets.

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

* * *

The Chairman reported that the following motions were passed in the Committee of the Whole:

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Bishop,

That the brief on Policing and Prisons, being a report by the Board of Commissioners of Police of the Corporation of the City of Kingston, as amended to delete from Line 8, Second Paragraph, Page 8, the words, "deter and", be endorsed.

CARRIED AS AMENDED
(See following motion of amendment which was approved)

(2) Moved by Ald. Clark,
Seconded by Ald. Hawkins,

That the motion of Ald. Gerretsen and Ald. Bishop be amended to add the words "as amended" before the words "be endorsed" and to delete from Line 8, second paragraph, Page 8, the words "deter and".

CARRIED

COMMITTEE OF THE WHOLE (Cont'd)

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the City acquire the properties located at 106 and 138 Rideau Streets as part of the Neighbourhood Improvement Program at a total cost of $210,000.00, i.e.,

i) 138 Rideau Street (land and buildings, $35,000.00)

ii) 106 Rideau Street (land and buildings, $175,000.00)

on the following conditions:

1) The payment of $210,000.00 shall be in total consideration of the property acquisition and cost of business losses for 106 and 108 Rideau Streets.

2) All actions now started against the City shall be withdrawn.

3) The closing date of this transaction will be November 1, 1979.

4) No provision will be made for mortgage interest or bonus payments in so far as this purchase is concerned.

5) No monies shall be paid for legal or appraisals made in so far as the City is concerned.

6) Mr. Cruji will be allowed to remove his equipment and fixtures and this particular activity will be cleared with the Chief Building Inspector.

7) The equipment and fixtures will be taken out and transferred to a property during the 12 month period after November 1, 1979 and a monthly rental of $250.00 per month for the 12 month period shall be paid by Mr. Cruji, following which vacant posses will be given to the City.

8) Relocation of the present business within the limits of the City of Kingston shall be subject to the approval of the City.

CARRIED AS AMENDED

(See following motion of amendment which was approved)

Ald. Hawkins opposed
Ald. Clark opposed
Ald. Tarnowecky opposed
Ald. Matthews opposed

(4) Moved by Ald. Miller,
Seconded by Ald. Bishop,

That the motion of Ald. Gerretsen and Ald. Gorham be amended to add the following subsection 8):

8) Relocation of the present business within the limits of the City of Kingston shall be subject to the approval of the City.

CARRIED

COMMITTEE OF THE WHOLE (Cont'd)

(5) Moved by Ald. Clark,
Seconded by Ald. Bishop,

1) That the initial presentation of the long service award be made to 28 employees holding 25 years of service as at September 10, 1979 and this presentation be made prior to the regular City Council meeting of November 19, 1979.

2) That in future years, long service eligibility be calculated as at January 31st of each year and the presentation of new long service awards shall take place at the second regular City Council meeting held in February of each succeeding year.

CARRIED

(6) Moved by Ald. Hawkins,
Seconded by Ald. Clark,

That the effective date of the retirement award program shall be January 1, 1980.

That the retirement award shall be presented to the employee concerned at the first regular Council meeting preceeding the employee's date of retirement.

CARRIED

(7) Moved by Ald. Hawkins,
Seconded by Ald. Clements,

That the establishment of a quarter century club be postponed for a period of 2 years to enable the City to evaluate both the new long service award program and the retirement program in order to study the financial implications of introducing several long service programs in the same budget year.

CARRIED

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

Council adjourned to the Council Chamber to continue the meeting.

Mayor Keyes said that he would like to declare a potential conflict of interest with regard to the acquisition of the Kingscourt Public School Property as he is an employee of the Frontenac County Board of Education and would abstain from all discussion and voting in this matter.

MINUTES

Moved by Ald. Knapp,
Seconded by Ald. Matthews,

That the Minutes of Meeting No. 38 held on October 1, 1979 be confirmed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 609 to 611.

Filed

(605) Copy of a letter to Mr. K.J. Murphy, Commodore Motor Hotel, 840 Princess Street, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Murphy's application for basement alterations to the Hotel for a dining lounge No. 2 (55 persons).

File No. 12-6

(606) From the family of the late Marguerite French thanking Council for its kind expression of sympathy.

File No. 3-6

(607) Copy of a letter to Mr. D. Stevens, Commissioner of Industries from Mr. Barry D. Burns, Program Co-Ordinator, Kingston Air Show Committee, thanking Mr. Stevens and Mr. A. Flowers for their contributions and efforts in making this year's air show a success.

File No. 1-2.1-1

Had Been Referred to the P.U.C.

(608) From the Ontario Ministry of Energy informing the City that on November 1, 1979, a one-day seminar will be held at the Ottawa-Centre Holiday Inn, 100 Kent Street, Ottawa, Ontario for the purpose of bringing together elected and appointed municipal officials for an exchange of information and ideas on how to manage energy and save dollars in their building operations. A preliminary programme for the seminar entitled, "Joint Steering Committee on Energy Conservation" was forwarded.

File No. 5-1

Referred to Planning Board

(609) From Zegers Engineering concerning a structural problem with regard to the Bibby's Building on Princess Street.

(Note: Copy of above letter has been distributed to all members of Council)

COMMUNICATIONS (Cont'd)

Had Been Referred to the Traffic, Streets & Parking Administrator

(610) From National Defence, HMCS Cataraqui, requesting approval for a change to the parade route for the Cataraqui Reunion Church Parade to be held on October 21, 1979.

It is intended that the parade leave the Armoury at 10:00 a.m., pass the reviewing stand at 10:30 and return to St. Paul's by 10:50. Upon completion of the church service at 12:00, the parade will again form for return to the Armoury at 12:10.

File No. 21-5

Referred to the Planning Board

(611) Copy of a letter to the Ontario Municipal Board from A. Britton Smith, Barrister & Solicitor, enclosing their Notice of Appeal regarding Homestead Land Holdings Limited, Block "S", Plan 1158, Calvin Park, being Part 1 on Reference Plan 13R-2120, City of Kingston.

File No. 25-2

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

* * *

The Chairman reported that the following reports were considered in the Committee of the Whole:

REPORTS

Ald. Timmins presented Report No. 102 of the City of Kingston Planning Board.

Council consented to the deletion of Clause 4, Report No. 102, as follows and the substitution of a revised Clause 4:

That the following recommendation of the Local Architectural Conservation Advisory Committee be endorsed:

"That a By-Law be enacted to designate the Newlands Pavilion, Macdonald Park, as a building of architectural significance pursuant to Section 29 of The Ontario Heritage Act, 1974", for the following reason:

"In 1896 the bandstand designed by William Newlands was built on this important site. It has undergone extensive restoration and is one of the few park buildings of its type in Ontario.""

REPORTS (Cont'd)

Report No. 102 - City of Kingston Planning Board

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 102 of the City of Kingston Planning Board be received and adopted, clause by clause.

REPORT NO. 102

October 10th, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS the Ontario Municipal Board decision dated August 8, 1977, with respect to Zoning By-Law No. 8499 was referred by Council to Planning Board for consideration and recommendation; and

WHEREAS this decision indicated that the O.M.B. would not approved the proposed "A" zone for the property of Mrs. D. Geiger on the west side of Maitland Street south of King Street in view of the owner's objection to the minimum lot area provisions for this zone; and

WHEREAS the City subsequently passed By-Law No. 9229 which exempts lots which were the site of existing one or two family dwellings from the minimum lot area requirements of the "A" zone;

THEREFORE BE IT RESOLVED that the City re-apply to the Ontario Municipal Board for approval of the A (One and Two Family) Residential zoning for the property of Mrs. D. Geiger on the west side of Maitland Street south of King Street.

CARRIED

2. WHEREAS Mr. W. Gay applied to have the zoning for 119 Barrack Street amended in order to permit the construction of a 7.6m by 18.3m addition to the existing building and its occupancy by professional offices; and

WHEREAS on July 4, 1979 Planning Board recommended that, in addition to the existing A (One and Two Family) Residential zoning provisions for this property, the Zoning By-Law should be amended to also allow a maximum of 335 m^2 of professional office space with a minimum of 1 parking space for every 56 m^2 of office space; and

WHEREAS on July 23, 1979 Council accepted Planning Board's recommendation and passed By-Law No. 79-139; and

WHEREAS the applicant recently applied for Development Control approval for the proposed addition; however, it has been determined that By-Law No. 79-139 will not accommodate the plans accompanying this application; and

WHEREAS Planning Board is of the opinion that the proposed plans represent an acceptable land use for this location;

REPORTS (Cont'd)

Report No. 102 - City of Kingston Planning Board

2. (Cont'd)

THEREFORE BE IT RESOLVED that:

a) By-Law No. 8499 be amended by deleting Section 165 and replacing it with a new Section 165 which shall read in full as follows:

"165. On the approximately 0.04 ha parcel of land located on the north east corner of Barrack and Bagot Streets and designated A.165 on Zoning Map No. 18 attached to and forming part of By-Law No. 79-139 as Schedule 'A':

a) The permitted uses shall also include professional offices having a maximum total floor area of 435 square metres;

b) The minimum number of required on site parking spaces shall be six;

c) There shall be no front yard, rear yard, side yard or lot coverage requirements.

b) That prior to third reading of the above mentioned by-law, the owner of the subject property shall enter into a binding agreement with the City of Kingston, that prior to issuance of any building permit, site plan and elevation drawings shall be submitted for approval by the City and that development shall take place in accordance with the approved plans.

- and further -

that upon third reading being given to the By-Law, the City Clerk is hereby directed to proceed pursuant to the provisions of Ontario Regulation 597/79.

(Note: This motion presumes that By-Law No. 79-139 will receive O.M.B. approval in the near future, and that the City will seek approval for this amending by-law by way of the recently established regulations under Section 35(23) of The Planning Act. In this way, the by-law could come into effect immediately following the 21 day appeal period if no objections are lodged with the City Clerk).

(See By-Law No. 1: 79-234).

CARRIED

3. WHEREAS Planning Board has received and reviewed a report titled "Open Space for Kingston" which reviews Kingston's present system of open space; and

WHEREAS this report recommends that the City establish Official Plan policies respecting the provision of land, or cash-in-lieu-of-land, for parks purposes, as a condition of residential development or redevelopment, at a rate which is commensurate with the proposed density of the project; and

REPORTS (Cont'd)

Report No. 102 - City of Kingston Planning Board

3. (Cont'd)

WHEREAS on March 6, 1979 Planning Board held a public meeting to discuss this matter and approved in principle the concept of requiring parkland in accordance with density of residential development; and

WHEREAS the Ministry of Housing has approved the draft of this proposed Official Plan amendment as to form;

THEREFORE BE IT RESOLVED THAT:

I. The Official Plan be amended as follows:

1. Add to Section 1(96A) the following:

"Council shall require land in residential developments or redevelopments to be deeded to the City for park purposes at the rate specified in Schedule G-1 except where:

(i) the density of the development or redevelopment is less than 17.3 dwelling units per net residential hectare, in which case the alternative requirement of five per cent of the area of the site shall be applied;

(ii) the land involved is within a plan of subdivision approved in accordance with Section 33 of The Planning Act for which land or cash-in-lieu thereof has previously been conveyed to the City for park or public purposes pursuant to a condition imposed by the Minister; or

(iii) the land involved is to be used by senior citizens, handicapped or other non-profit groups, in which case Council, if in its opinion it is in the public interest to do so, may permit deeding of lands at a lesser rate if additional and community facilities are included;

(iv) the development or redevelopment project involves the replacement or renovation of deteriorated housing, in which case Council, if in its opinion it is in the public interest to do so, may waive deeding of lands or may permit deeding of lands at a lesser rate if additional and community facilities are included.

2. Add the following as Section 1 (96B):

"In accordance with Section 35b (6) of The Planning Act, Council may, at its discretion accept equivalent money-in-lieu-of-land for parks purposes. As an alternative to requiring land in accordance with the foregoing policy Council may accept money where one or more of the following conditions apply:

REPORTS (Cont'd)

Report No. 102 - City of Kingston Planning Board

3. (Cont'd)
 2. (Cont'd)

(i) where the land parcel would be too small or inappropriately located;

(ii) in an area where there already exists an excess of park lands;

(iii) where the condition of the land is such as to be unsuitable for park purposes;

(iv) where no opportunity exists to enlarge existing neighbourhood parks;

(v) where there exists no opportunity to obtain useful waterfront land;

(vi) where the project concerned is a large development which is completely within reasonable walking distance of an existing neighbourhood park, such distance not to be measured along a line crossing an Expressway or an Arterial Road;

(vii) where the project concerned is a large development which, if money-in-lieu-of land were to be required, nevertheless, would not overload the existing neighbourhood parks system; or

(viii) the project concerned is not completely or partly within those areas defined in Schedule G-2"

3. Add the following as Schedule G-1:

SCHEDULE G-1

Land Requirements for Parks Purposes

HOUSING TYPE	LAND REQUIREMENT (expressed as multiples of the number of proposed dwelling units per housing type)
One & Two Family Dwelling	30.0 m^2
Multiple Family Dwellings (Other than row dwellings)	17.5 m^2
Row Dwellings	33.5 m^2

4. Add as Schedule G-2 the plan attached hereto, to the Official Plan. *(See Schedule 'A' attached - 1 page)*

II. That By-Law No. 8820,'A By-Law to Provide for Land for Park Purposes Pursuant to Section 35(b) of The Planning Act', be amended, as required, to implement the policies contained in the foregoing Official Plan amendment.

(See By-Laws 2 and 3 : No. 79-235 and 79-236).

CARRIED

REPORTS (Cont'd)

Report No. 102 - City of Kingston Planning Board

4. That the following recommendation of the Local Architectural Conservat Advisory Committee be endorsed:

> "That in accordance with Section 29 of The Ontario Heritage Act, 1974, the Newlands Pavilion, Macdonald Park, be designated as a building of architectural significance and Council approve the Notice of Intention to Designate", for the following reason:
>
> > "In 1896 the bandstand designed by William Newlands was built on this important site. It has undergone extensive restoration and is one of the few park buildings of its type in Ontario."

CARRIED AS REVISED

5. That the following recommendation of the Local Architectural Conservation Advisory Committee be endorsed:

"That the proposed alterations to 193-195 Ontario Street, being a building designated under The Ontario Heritage Act, as shown on the following drawings prepared by Munro Ploen & Associates Ltd.:

Drawing #4 - Elevations & Details - August, 1979

Drawing #5 - North & East Elevations - August, 1979

be approved.

CARRIED

Ald. Gerretsen declared a conflict of interest in Clause 6 as he is a solicito for a tenant in the building.

6. WHEREAS in November, 1977 Council approved Development Control for renovation of retail and office space at the former Bibby's site on Princess Street; and

WHEREAS it has come to the attention of the Board that there are discrepancies between the completed renovations and the approved Development Control plans; and

WHEREAS the owner has submitted an application for amendments to the Development Control Agreement which would permit certain changes to the approved plans for the easterly portion of the buildings; and

WHEREAS in the opinion of Planning Board the revisions are acceptable and refusal would be a hardship to the owner;

THEREFORE BE IT RESOLVED THAT the revisions to the easterly 76 ft. only, of the structure owned by Two Brothers Limited be approved as shown on the following plans prepared by E.A. Cromarty Architect:

Plan #1 - First Floor Plan - Scale 1/8"=1'0" - January, 1979

Plan #2 - Elevation (Princess Street) - Scale 1/8" = 1'0" - January, 1979

and that the development control agreement between the City of Kingston and Two Brothers Limited be amended accordingly.

CARRIED

(Ald. Miller opposed)

(Ald. Gerretsen abstained from voting)

REPORTS (Cont'd)

Report No. 102 - City of Kingston Planning Board

Ald. Lampropoulos arrived at 8:35 p.m.

7. WHEREAS proposed Official Plan Amendment No. 25 of the Township of Kingston has been forwarded to the City of Kingston by the Minister of Housing, for comment thereon; and

WHEREAS the intent of this amendment is to alter the composition of commercial uses permitted in the Light Industrial - Special Commercial Area designation (west side Gardiner's Road) to include General Commercial uses developed in accordance with Section 3(8) of the Official Plan; and

WHEREAS the proposed Amendment has been considered by the Planning Board;

THEREFORE BE IT RESOLVED THAT the Minister of Housing be informed that the City of Kingston has no objection to Official Plan Amendment No. 25 of the Township of Kingston.

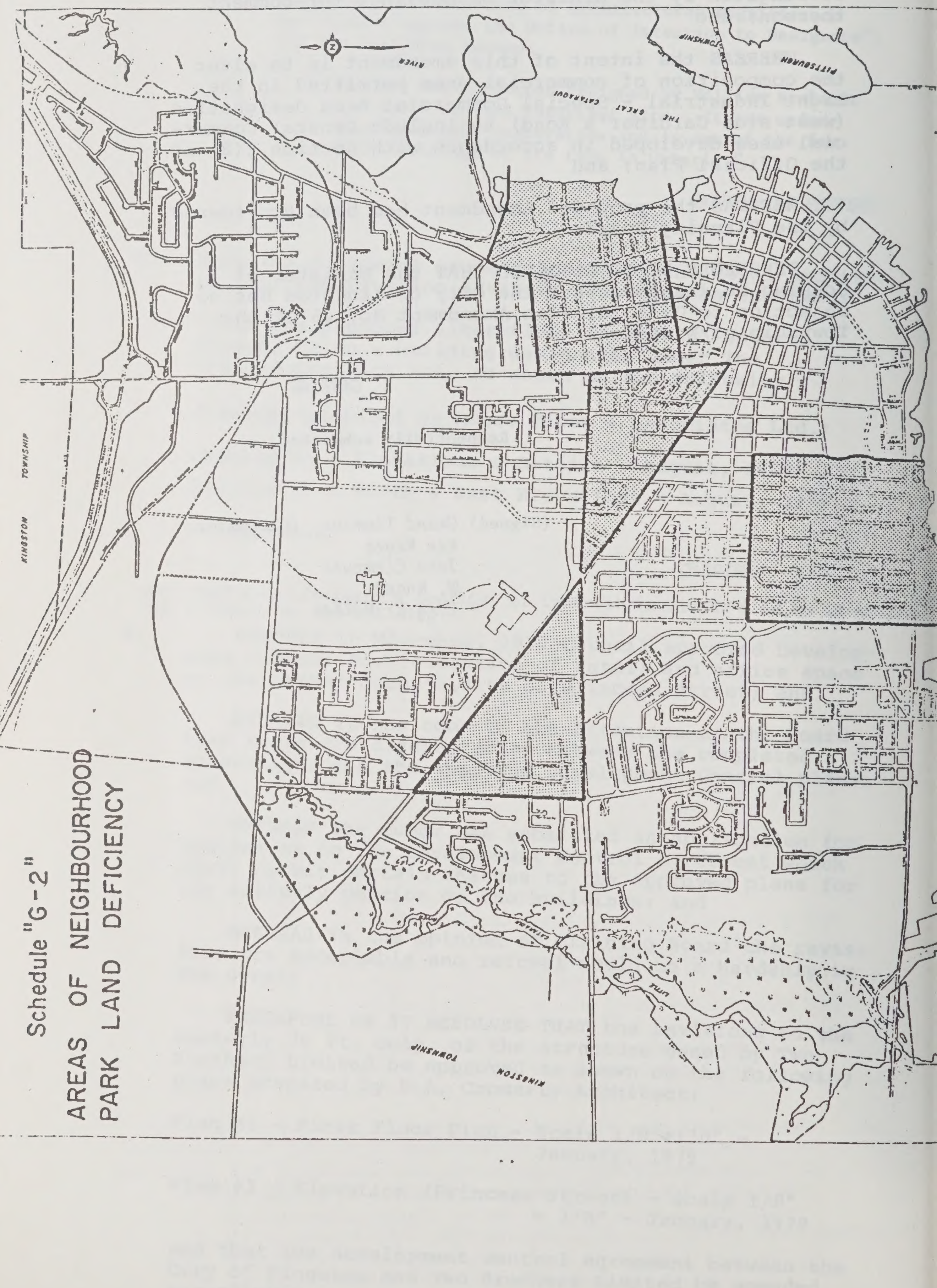
CARRIED

Respectfully submitted,

(Signed) *Grant Timmins* (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

Schedule 'A' to Report No. 102
(Page 1)


N
THE GREAT CATARAQUI RIVER
PITTSBURGH TOWNSHIP
KINGSTON TOWNSHIP
KINGSTON TOWNSHIP
LITTLE CATARAQUI

Schedule "G-2"

AREAS OF NEIGHBOURHOOD PARK LAND DEFICIENCY

REPORTS (Cont'd)

Report No. 103 - Chief Administrative Officer

Council consented to the addition of Clause 11 to Report No. 103.

Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Report No. 103 of the Chief Administrative Officer be considered.

REPORT NO. 103

October 15, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

Ald. McArthur declared a conflict of interest in Clause 1 as he is proprietor of Fort Battery.

1. That as recommended by the City Treasurer, List of Accounts No. 9, dated September, 1979, in the amount of $4,409,202.43 be approved it being noted that the expenditures were incurred under proper authorization.

(Note: A copy of the List of Accounts was distributed to each Member of Council on October 5th 1979.)

CARRIED
Ald. McArthur abstained from voting

2. That, as recommended by the Commissioner of Works, the Canadian Pacific site be used for nighttime truck disposal of snow and site or sites providing the most economical disposal be used in the daytime-and further-

That the compensation to the Canadian Pacific in the amount of $1,750 and to the Community Centre Board in the amount of $1,000 be authorized.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "A", 1 Page.)

CARRIED

WHEREAS the Public Transportation and Highway Improvement Act, R.S.O., 1970, as amended, provides that the Clerk of the County shall notify the City not later than the 1st of March of each year of the amount appropriated for construction and maintenance of suburban roads;

AND WHEREAS it also requires the Treasurer of the City not later than November 1st following to transmit the equivalent amount to the Treasurer of the County;

AND WHEREAS in preparing the Public Works Current Budget a figure of $74,000 was used being about 8% about 1978 and by the time the City of Kingston Budget was struck the figure of $86,000 was known but Council decided to leave the figure of $74,000 at that time;

THEREFORE BE IT RESOLVED that Council authorize the increased payment of $86,000 to the County as required under the Public Transportation and Highway Improvement Act, R.S.O. 1970, as amended, and the following budget transfer be approved:

REPORTS (Cont'd)

Report No. 103 - Chief Administrative Officer

3. (Cont'd)

	INCREASE	DECREASE
314-29 Suburban Roads	$12,000.	
315-03 Sanitary manhole repair		$4,000.
315-07 Storm manhole repair		4,000.
315-08 Storm sewer cleaning		4,000.
	$12,000.	$12,000.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "B", 2 Pages.)

CARRIED

4. WHEREAS the addition to the Hotel Dieu Hospital has necessitated the ambulance entrance being temporarily on Brock Street and a bank of snow would prevent ambulances from driving to the entrance when the City plows to the south side;

AND WHEREAS it is the policy of the City that in order to make the cleaning of driveways more equitable, the City would every other snow storm plow to the opposite side of the street;

THEREFORE BE IT RESOLVED that as recommended by the Commissioner of Works notwithstanding the aforementioned policy, for this winter, Brock Street in the immediate vicinity of the temporary ambulance entrance to the Hotel Dieu Hospital be plowed to the north side at all times.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "C", 1 Page.)

CARRIED

Ald. Clements withdrew at 9:10 p.m.

5. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Committee organizing a Highland Games or Scottish Festival for 1980 be permitted to use the Loyalist Room on November 7, 1979 at 8 p.m., free of charge.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "D", 2 Pages)

(See By-Law 5: No. 79-238)

CARRIED

6. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Kingston Action Committee on the Status of Women be permitted to hold its celebration of Persons Day on October 18, 1979, free of charge, in Memorial Hall.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "E", 2 Pages)

(See By-Law 5: No. 79- 238)

CARRIED

REPORTS (Cont'd)

Report No. 103 - Chief Administrative Officer

7. That permission be granted to the Kingston Jaycees to conduct their twenty-third annual Santa Claus Parade on Saturday, November 17th 1979, to lead off from the Kingston Shopping Centre at 10:00 a.m., and proceed down Princess Street to Ontario Street, where the parade will disperse.

(Note: A copy of the report of the Administrator Traffic, Streets and Parking is attached hereto as Schedule "F", 2 Pages)

CARRIED

8. That, as recommended by the Administrator of Traffic, Streets and Parking, the 1980/81 proposed connecting link construction program as outlined in the attached Schedule 1 be approved.

(Note: Copies of the reports of the Chief Administrative Officer and the Administrator of Traffic, Streets and Parking are attached as Schedule "G", 5 pages).

CARRIED

Ald. Clements returned at 9:25 p.m.

9. That, as recommended by the Administrator of Traffic, Streets and Parking, the following accounts be paid:

   1) Invoice No. 3007 - J.J. MacKay - $37,138.40 for the purchase of eighty duplex VIP parking meters.

   2) Invoice No. 3008 - J.J. MacKay - $10,014.76 for parts etc.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "H", 1 page)

CARRIED

Ald. McArthur withdrew at 9:27 p.m. and returned at 9:30 p.m.

10. That Paron Construction (Kingston) Incorporated be granted a six month exemption from By-Law No. 9309, "A By-Law of the Corporation of the City of Kingston to Control Noise", except on Sundays and statutory holidays, and except for the operation of concrete trucks and pneumatic hammers between the hours of 11:00 p.m. and 6:00 a.m.

(Note: A copy of the report of the Administrator of Traffic Streets and Parking is attached as Schedule "I", 5 pages)

CARRIED

11. That, as requested by H.M.C.S. Cataraqui and as recommended by the Administrator of Traffic, Streets and Parking, approval be given to the revised route for the "Naval Reunion"Church Parade on Sunday, October 21st 1979, as follows:

Leave the Kingston Armouries and proceed south on Montreal Street, east on Princess Street, south on King Street, west on Lower University one block, north on Wellington Street to Queen Street and return to St. Paul's Church.

(A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "J", 3 Pages.)

CARRIED

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

* * *

Schedule "A" to Report No. 103
(Page 1)

OCT 1 0 1979

MEMORANDUM

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: October 5, 1979

SUBJECT: SNOW DISPOSAL SITES

ORIGIN

Public Works Department

ANALYSIS

Sites are the same as last winter:

1. C.P. Property - good for day and night dumping
2. Community Centre - good for day dumping
3. Ski Hill (north of tennis courts) - good for day dumping
4. Block S Calvin Park - good for day dumping
   Homestead Land Holdings have given verbal approval
5. Shannon Park - day dumping site - because of proximity to C.P. site, use is limited

EXISTING POLICY

All night time hauling is to C.P. site. Daytime hauling is to the site where the haul is most economical.

Matters relating to City owned dump sites have been discussed with the Commissioner of Parks and dealt with by the Community Centre Board.

FINANCIAL

The C.P. site will cost $1,750 this winter which is $60 more than last winter. Last winter the payment to the Centre Board was increased to $1,000. It is anticipated that it will remain the same.

RECOMMENDATION

That the C.P. site be used for nighttime truck disposal of snow and site or sites providing the most economical disposal be used in the daytime and that the compensation to the C.P. in the amount of $1,750 and to the Community Centre Board in the amount of $1,000 be authorized.

D. Graham, P. Eng.
Commissioner of Works

DG/jc

Schedule "B" to Report No. 103
(Page 1)

o to	Mr. R.J.Hamilton, Chief Administrative Officer
e	October 10, 1979
ject	Suburban Roads
gin	Public Works Department
lysis	The County appropriated $86,000. for construction and repair of suburban roads in 1979. This was an increase of about 22% over 1978. The increase results from a change in the assessment on which it was based. In 1978 the equalized taxable assessment was used. In 1979, as a government policy, the total equalized assessment was used. The Treasurer has investigated the increase but cannot dispute it.
sting Policy	The Public Transportation and Highway Improvement Act requires the Clerk of the County to notify the City not later than the 1st of March of each year of the amount appropriated for construction and maintenance of suburban roads (Schedule "1"). It also requires the Treasurer of the City, not later than 1 November following to transmit the equivalent amount to the Treasuer of the County.
ncial	In preparing the Public Works Current Budget a figure of $74,000. was used being about 8% above 1978. By the time the budget was struck the figure of $86,000. was known but Council decided to leave the figure of $74,000. at that time.
mmendation	That Council authorize the increased payment to the County as required under the Public Transportation and Highway Improvement Act and the following budget transfer -

	Increase	Decrease
314-29 Suburban Roads	$12,000.	
315-03 Sanitary manhole repair		$ 4,000.
315-07 Storm manhole repair		4,000.
315-08 Storm sewer cleaning		4,000.
	$12,000.	$12,000.

D.Graham, P.Eng
Commissioner of Works

Schedule "B" to Report No. 103
(Page 2)

FEB 20 1979

JOHN E. TAYLOR, A.M.C.T.
CLERK-ADMINISTRATOR

COUNTY OF FRONTENAC

COURT HOUS
KINGSTON,
K7L 2N4
(613) 548-4

February 22, 1979

REGISTERED MAIL

Mr. R. Hamilton, C.A.O.
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Re: Suburban Roads Appropriation

Dear Sir:

This is to advise that, at the regular meeting of Kingston Suburban Road Commission held on January 18, 1979, the following resolution was passed:

> "Properly proposed and seconded that the City of Kingston contribution to Suburban Roads for the year 1979 be $86,000."

Please acknowledge receipt of this letter for our records.

Yours truly,

J. E. Taylor, A.M.C.T.
Clerk-Administrator

JET/sgc
Enclosure--letter from M.T.C.

Schedule "C" to Report No. 103
(Page 1)

OCT 10 1979

MEMORANDUM

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: October 4, 1979

RE: Plowing to Alternate Sides - Brock Street - Information

To make the cleaning of driveways more equitable, a policy was made that every other snow storm we would plow to the opposite side of the street. This has been done for all storms of any consequence.

The addition to the Hotel Dieu Hospital has necessitated the ambulance entrance being temporarily on Brock Street. A bank of snow would prevent ambulances from driving to the entrance when we plow to the south side. It is proposed that for this winter, Brock Street in the immediate vicinity of the temporary ambulance entrance to the Hotel Dieu Hospital be plowed to the north side at all times.

D. Graham, P. Eng.
Commissioner of Works

DG/jc

c.c. G. de Lugt

Schedule "D" to Report No. 103
(Page 1)

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: October 5, 1979.

RE: WAIVER OF FEES REQUEST - ROB ROY PIPE BAND

I have received a letter from Mrs. Doris Sutherland requesting waiver of fees for the Loyalist Room on November 7th, 1979, and as attached.

This is a recognized organization within the community and the inten of their plans would develop favourable intertainment for our citize as well as bring in visitors and money to our City.

Therefore, I recommend granting of their request.

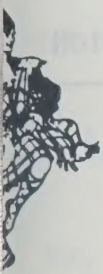
Douglas R. Fluhrer,
Commissioner.

DRF/sw
Attach.

c.c. D. Sutherland

Schedule "D" to Report No. 103
(Page 2)

OCT 3 1979



ROB ROY PIPE BAND
and
HIGHLAND DANCERS

PARKS AND RECREATION
OCT 3 1979
REC'D.

3) 542-3851

40 Strathcona Cresc.
Kingston, Ontario.
K7M 1N8

October 1st, 1979.

Ms. Mary Carlton,
Parks & Recreation,
City Hall,
Kingston, Ontario.

Dear Mary:

As I outlined in my recent telephone call, we would like to reserve the Loyalist Room for 8:00 p.m., Wednesday, November 7th, for a meeting to plan Highland Games or a Scottish Festival for the coming year. We hope to involve a number of other community groups as well.

We would like coffee for twenty-five people - hopefully, there will be more in attendance, but I would prefer to run short, than to waste it.

As we are a non-profit organization, hoping to sponsor a community event, could the rental for the room please be waived?

Yours sincerely,

Doris M Sutherland

Doris M. Sutherland,
Public Relations.

Schedule "E" to Report No. 103
(Page 1)

MEMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: October 5, 1979.

RE: WAIVER OF FEES REQUEST - KINGSTON ACTION COMMITTEE ON THE STATUS OF WOMEN

I have received a letter from Ms. Mary Ann Higgs requesting waiver of fees for Memorial Hall on October 18th, 1979, and as attached.

The cost factor involved is $30.00 and I would recommend their request be granted.

Douglas R. Fluhrer,
Commissioner.

DRF/sw
Attach.

c.c. Mary Ann Higgs

AND RECREATION
SEP 25 1979
REC'D.

Sharon [illegible]

93 Pembroke Street,
Kingston, Ontario
K7L 4N6
24 September, 1979

Mr. Doug Fluhrer, Commissioner
Department of Parks and Recreation
City Hall, Kingston

Dear Mr. Fluhrer;

I was most pleased to receive confirmation that the Kingston Action Committee on the Status of Women would be allowed to hold its celebration of Persons Day on October 18, at Memorial Hall, City Hall. Your efforts to facilitate this have been greatly appreciated.

I have spoken to Mr. Ed. Preston and we will be finalizing details in the very near future regarding the layout of the room and the staffing requirements.

It has been suggested by Mayor Keyes that in a case such as ours it might be possible to forego payment of those fees regularly assessed for the use of the room. As we are a group of Kingston citizens and will be liable for all other expenses incurred in connection with this celebration which we hope will be of interest to many others, we would hope that you could look favourably on us and formally waive these costs.

Your attention to this matter is therefore requested. I may be reached at ph. 545-5813 during office hours.
+ 545 5829

+ cheese
irs removed at back
neral tables (4)
Reception.
50th Anniversary

Yours truly,

M. Higgs

Ms. Mary Ann Higgs

Schedule "F" to Report No. 103
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer,

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Administrator.

DATE: October 11th, 1979.

SUBJECT Santa Clause Parade - Kingston Jaycees

ORIGIN Request from the Kingston Jaycees to conduct their twenty-third annual Santa Clause Parade on Saturday, November 17th, 1979 (letter attached)

ANALYSIS

1) It is proposed to lead off from the Kingston Shopping Centre at 10:00 a.m., and proceed down Princess Street to Ontario Street, where the parade will disperse.

2) It is anticipated that the parade will finish at approximately 12:30 p.m.

3) City Council has previously granted permission for this annual event.

RECOMMENDATION That permission be granted to the Kingston Jaycees to conduct their twenty-third annual Santa Clause Parade on Saturday, November 17th, 1979, as requested.

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "F" to Report No. 103
(Page 2)

kingston jaycees inc.

CHARTER MEMBER 1947
JUNIOR CHAMBER INTERNATIONAL
PORTSMOUTH OLYMPIC HARBOUR
53 YONGE ST.
KINGSTON, ONTARIO
K7M 6G4
TELEPHONE: 542-3454

ership
ining

nunity
rment

lianism

vic
nsibility

wship

October 10, 1979

Mr. K. Linseman
Traffic and Streets
Corporation of the City of Kingston
City Hall
Ontario Street
Kingston, Ontario

RE: 1979 Jaycees' and Jaycettes' Santa Clause Parade

Dear Mr. Linseman:

The Kingston Jaycees and Jaycettes are pleased to apply for permission to hold their twenty-third annual Santa Clause Parade on Saturday, November 17, 1979.

We propose to lead off from the Kingston Shopping Centre at 10:00 AM, and proceed down Princess Street to Ontario Street, where the Parade will disperse. It is anticipated that the tail end of the Parade will arrive at Ontario Street between 12:00 noon and 12:30 P.M.

We would also ask you to notify the various city departments which will be affected by the Parade, as you have done in past years.

Thank you for your assistance and cooperation.

Yours truly,

Richard L. Chown
Chairman, 1979 Santa Claus Parade

RLC/cs

Schedule "G" to Report No. 103
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No.17-9.1

October 12, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: 1980/81 PROPOSED CONNECTING LINK CONSTRUCTION PROGRAM AS OUTLINED BY MR. KEN LINSEMAN

We are forwarding herewith a report dealing with this matter of Connecting Links.

Council will take note that this represents a 75% Subsidy that can be received concerning this particular project. These matters will be included in our Capital Budget for the years 1980 to 1984 inclusive.

At this time, it would seem to be in order to submit the attached information to the Ministry of Transportation and Communications.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "G" to Report No. 104
(Page 2)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: October 12th, 1979.

SUBJECT 1980/81 Proposed Connecting Link Construction Program.

ORIGIN Request from the Ministry of Transportation and Communications (letter attached).

ANALYSIS

1) The attached Schedule "A" outlines the proposed connecting link program for 1980 and 1981 in order of priority.

2) Ontario Municipal Board approval has already been obtained for the Queen Street, Bagot St. to Barrie St., project. The other projects have been included in the Five Year Capital Budget.

3) The Princess Street widening project will complete the four lane program on Princess St. and should be given priority, as traffic volumes are in excess of 20,000 vehicles per day, while the street capacity is only 12,000 vehicles per day.

4) Due to the short notice for submission of a proposed connecting link construction program, the attached schedule has already been submitted to the Ministry of Transportation and Communications, who will be advised of any changes by Council.

RECOMMENDATION That the 1980/81 proposed connecting link construction program as outlined in the attached Schedule "A" be approved.

K. G. Linseman

lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "G" -to Report No. 103 (Page

	LOCATION	TYPE OF CONSTRUCTION	EST. COST	DESIGN COMPLETE	LAND ACQUISITION	EST. DATE AWARD
			1 9 8 0			
1.	Princess St. 360' west of Sir John A. to 644' east of Portsmouth Ave.	Widening and Reconstruction	$440,000.	Dec. 1979	None	April 1980
2.	Queen Street, Bagot St. to Barrie St.	Widening and Reconstruction with storm sewers	468,000.	Complete	None	April 1980
3.	Division St., south leg of 401 entrance to quarry entrance	Widening and intersection improvement	300,000.	May 1980	Yes	September 1980
			1 9 8 1			
1.	Counter St., Division to Sir John A.	Widening with storm sewer and curb and gutter	460,000.	September 1980	None	May 1981
2.	Sir John A. Blvd., Princess to Counter	Add two (2) lanes	180,000.	October 1980	None	May 1981

Schedule "H" to Report No. 103
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: October 12th, 1979.

SUBJECT: Payment of Parking Meters - J. J. MacKay Company

ORIGIN: Invoices of J. J. MacKay Canada Ltd. (attached).

ANALYSIS

1) The City has recently been invoiced for parking meters ordered last April.

2) It has been the policy of the Transportation Committee, the former Kingston Parking Authority, and Council for several years to purchase Duncan Duplex VIP parking meters. The Parking Department conducted a thorough study in the evaluation of the two most popular parking meters on the market. The study revealed that Duncan parking meters were superior, required much less maintenance and had many fewer breakdowns.

3) Most leading municipalities purchase Duncan meters exclusively.

4) The parking meters were purchased for three areas:

   a) expansion of the Gorsline parking lot;
   b) the Springer parking lot; and
   c) annual street replacement.

FINANCIAL: The invoiced amounts are below the provisions in the 1979 Budget.

POLICY

1) The Parking Authority, the Transportation Committee and Council adopted the policy to purchase the superior Duncan meters some years ago.

2) Parking meters on new parking lots are financed over a period of three years.

RECOMMENDATION

1) That Invoice No. 3007 of J. J. MacKay, for $37,138.40 for the purchase of eighty Duplex VIP parking meters, be paid.

2) That Invoice No. 3008 of J. J. MacKay, for $10,014.76 for parts, etc., be paid.

Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

Schedule "I" to Report No. 103
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: October 12th, 1979.

SUBJECT Exemption - Noise Control By-law 9309

ORIGIN Paron Construction (Kingston) Incorporated (letter attached).

ANALYSIS 1) I concur with the recommendations in the attac report of Mr. E. W. Taugher, Noise Control Off

2) No objections have been received to the advert ment of application for exemption to the noise control by-law.

3) The applicant has agreed to waive the two-week period for notification of the report of the Noise Control Officer in order that Council ma consider their application immediately.

4) Alderman Miller, who brought the noise problem our attention, has agreed with the proposed exemption, subject to concrete trucks and pneu matic hammers being prohibited between 11:00 p and 6:00 a.m.

ALTERNATIVE To refuse the application for exemption would cau an unnecessary hardship on the applicant.

RECOMMENDATION That Paron Construction (Kingston) Incorporated b granted a six-month exemption from the Noise Cont By-law 9309, except on Sundays and statutory holi days, and except for the operation of concrete trucks and pneumatic hammers between the hours of 11:00 p.m. and 6:00 a.m.

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

ARON CONSTRUCTION (KINGSTON) INC.

BOX 5220 STATION E
930 MAIN STREET WEST
HAMILTON, ONTARIO
L8S 4L3

eptember 20, 1979.

orporation of City of Kingston
ity Hall
ingston, Ontario.

ttn: City Council

e are herewith requesting exemption by Council from Noise Control By-Law No. 9309
n accordance with provision No. 5 of said By-Law articles (a) to (g) inclusive.

a) Paron Construction (Kingston) Inc.
P.O. Box 595
185 Ontario St.
Kingston, Ont.
K7L 2Y7

b) Source of sound -- concrete finishing machines and ready mix delivery trucks.

c) Exemption from Article 5 Schedule 2 Prohibitions by time and place.

d) Request exemption for a six month period.

e) Reasons for requesting exemption are to allow concrete to be delivered and concrete finishing machines to be operated outside of the hours provided under the By-Law in order that the main structure can be completed with a minimum amount of winter construction.

As the weather turns colder the curing time for concrete lengthens and prevents the concrete from being finished right away.

To require compliance would create a delay in completion and cause severe economic hardship.

Placing concrete during the evening also will reduce the amount of concrete delivery traffic during the busy daytime hours.

It is felt that because the site is in a primarily commercial area there is no disruption to residential areas and to date no complaints have been received from immediate neighbours.

f) Steps will be taken to keep noise levels to a minimum and to avoid work after the hours stipulated by the By-Law wherever possible.

g) The enclosed notice has been published in the Kingston Whig Standard on Saturday, September 22, 1979.

e trust you will give consideration to this request and assure you of our
o-operation in this regard.

ours truly,

. G. Wyatt

GW:blm

ncl.

September 20, 1979.

NOTICE

It is the intention of the undersigned to apply for an exemption to Bylaw No. 9 a Bylaw of the Corporation of the City of Kingston to Control Noise.

(a) Paron Construction (Kingston) Inc.
P.O. Box 595
185 Ontario Street
Kingston, Ontario
K7L 2Y7

(b) Source of sound is concrete floor finishing machines and Ready Mix trucks.

(c) Exemption from Item No. 5 of Bylaw Schedule No. 2 Prohibitions by Time and Place.

(d) The exemption is requested fro a 6 month period.

(e) The reason for exemption is to reduce day time traffic with concrete delivery trucks. Necesssity of maintaining a schedule to minimize the amount of winter construction.

Paron Construction (Kingston) Inc.

CORPORATION OF THE
CITY OF KINGSTON

FFICE OF THE
Traffic, Streets and
Parking Department.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 12th, 1979.

IEMORANDUM TO: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

'ROM: E. W. Taugher,
Assistant Administrator.

UBJECT: Request by Paron Construction Limited
for Exemption to the Noise By-law

Study on the sound levels in the vicinity of the Paron Construction ite on Ontario Street, Kingston, prepared by Mining Resource Engineering Limited, was submitted by Paron Construction. This Study oes not state the day or date that the survey was done. Whether his is a typical construction day is not indicated. It is also oted that when the survey was done there was only one concrete ruck arriving at the site between approximately 5:30 p.m. and :30 a.m.

t should be noted that the noise of the concrete trucks will not be onfined to the area of construction but is spread from the source hrough the City to its destination at Ontario and Market Streets. uring the early morning hours (5:30-7:30 a.m.) the truck noise xceeds the maximum acceptable level by as much as 14 db.

he pneumatic hammer/chisel only exceeds the maximum acceptable level 8 db and the concrete vibrator does not exceed the maximum acceptable level.

rom the above notes, it is apparent that the concrete trucks are he source of noise which cause the most problems. This will be ore noticeable in winter months when the general noise level is ower and will not act as a buffer.

e construction site is free from residential dwellings on three des. To the north is a park, to the south a large vacant lot and the east, the lake. To the west are two hotels and various office ildings with some residents living in upper floors over offices, c. It would appear that the number of people who could be bothered any noise at the construction site would be relatively few, being

....2.

- 2 -

confined to those people living immediately west of the site and transient or semi-permanent guests at the two hotels.

In late fall and winter, most windows and doors will be closed, especially in the evening, so that the noise level should be les noticeable to those people who reside in the area.

It is my recommendation that,

1) the applicant be granted a six-month exemption from the Noise By-law except on Sundays and statutory holidays;

2) that concrete trucks be prohibited from delivering concrete to the site between the hours of 11:00 p.m. and 6:00 a.m.; and

3) that the pneumatic hammer/chisel be prohibited from use on the site between 11:00 p.m. and 6:00 a.m.

:lk

E. W. Taugher,
Assistant Administrator.

Schedule "J" to Report No. 103
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: October 15th, 1979.

SUBJECT "Naval Reunion" Church Parade - Princess, King and Wellington Streets.

ORIGIN Request from H.M.C.S. Cataraqui to hold a "Naval Reunion" Church Parade on Sunday, October 21st, 1979 and Council approval given October 1st, 1979.

ANALYSIS

1) It was proposed that the parade route would be to proceed east on Princess Street, south on King Street, west on Lower University one block, north on Wellington to Brock Street and return to St. Andrew's Church.

2) A request has been received for a revised route as follows: Leave the Kingston Armouries and proceed south on Montreal Street, east on Princess Street, south on King Street, west on Lower University one block, north on Wellington St. to Queen St. and return to St. Paul's Church.

3) The parade will take place on Sunday when traffic is light.

RECOMMENDATION That permission be granted to H.M.C.S. Cataraqui to revise the parade route as requested.

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

1700-1

HMCS CATARAQUI
Kingston, Ontario
K7K 3E8
10 October 79

City Clerk
City of Kingston
Kingston, Ontario
K7L 2Z3

Dear Sir:

CATARAQUI REUNION CHURCH PARADE
21 OCTOBER 79

Due to the change in location of the church service, now to be held at St Pauls Church, Montreal and Queen Streets, it is requested that approval be given for a change to the parade route as indicated on the attached sheet (your letter, file number 21-5 dated 3 October 79 refers).

It is intended that the parade leave the Armoury at 10 o'clock, pass the reviewing stand at 10:30 and return to St Pauls by 10:50. On completion of the church service at 12 o'clock, the parade will again form up for return to the Armoury at 12:10.

Yours truly,

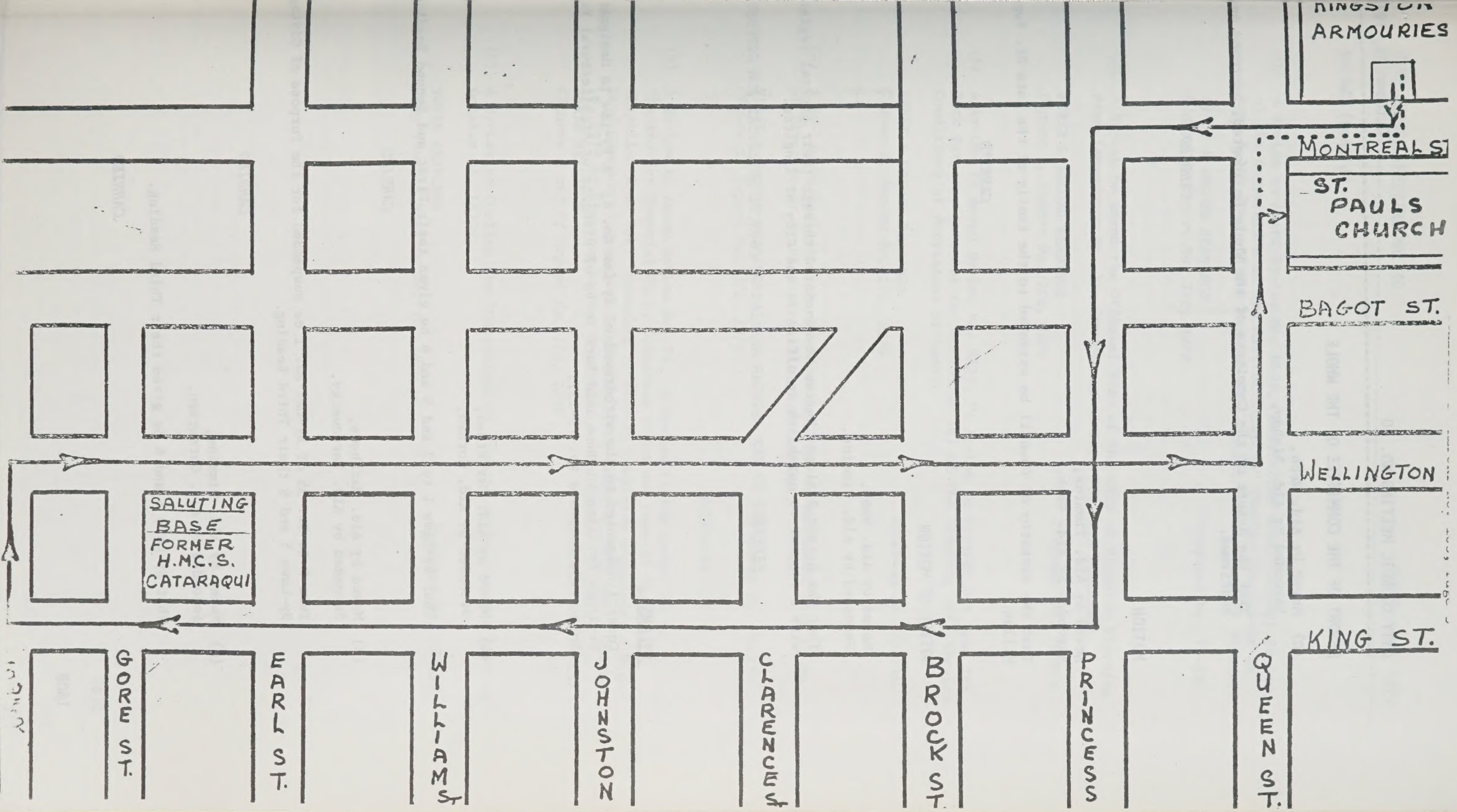
J.R. Walter
Lieutenant(N)
for Commanding Officer

cc. Chief KA Cowdy
Fire Department

Chief GS Rice
Police Department

Mr. JK Fee
General Manager, PUC

Mr. K. Linseman, Administrator
Traffic, Streets and Parking Dept


KINGSTON ARMOURIES
MONTREAL ST.
ST. PAULS CHURCH
BAGOT ST.
WELLINGTON
KING ST.
QUEEN ST.
PRINCESS
BROCK ST.
CLARENCE St.
JOHNSTON
WILLIAMS St.
EARL ST.
GORE ST.
SALUTING BASE
FORMER H.M.C.S. CATARAQUI

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTION

Moved by Ald. Timmins,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late Dr. Ruper Millan.

CARRIED

NOTICE OF MOTION

Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the Better Business Bureau be contacted through their central registr with a request to establish an office in the City of Kingston.

REFERRED TO THE REGULAR MEETING OF COUNCIL SCHEDULED FOR OCTOBER

BYLAWS

Council consented to the withdrawal of By-Law No. 4, "A By-Law to Designate Newlands Pavilion in Macdonald Park to be of Historic or Architectural Val Interest", Proposed No. 79-237.

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Laws 1 to 3 and 5 and 6 be given their First and Second Reading

CARRIED

(B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Laws 5 and 6 their Third Reading.

CARRIED

(C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That By-Laws 5 and 6 be given their Third Reading.

CARRIED

BYLAWS (Cont'd)

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Revise Exceptions in Zone A.165 (One and Two Family) Residential for 119 Barrack Street).

FIRST & SECOND READINGS Proposed No. 79-234
Clause 2, Report No. 102, 1979

(2) A By-Law to Amend the Official Plan of the City of Kingston Planning Area (Amendment No. 3: Conveyance of Land for Park Purposes).

FIRST & SECOND READINGS Proposed No. 79-235
Clause 3, Report No. 102, 1979

(3) A By-Law to Amend By-Law No. 8820, "A By-Law to Provide for Land for Park Purposes Pursuant to Section 35 (b) of The Planning Act" (Revise Conditions of Provisions of Land).

FIRST & SECOND READINGS Proposed No. 79-236
Clause 3, Report No. 102, 1979

(4) A By-Law to Designate the Newlands Pavilion in Macdonald Park to be of Historic or Architectural Value or Interest.

FIRST & SECOND READINGS Proposed No. 79-237
Clause 4, Report No. 102, 1979

WITHDRAWN

(5) A By-Law to Amend By-Law No. 21, "A By-Law fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers" (Loyalist Room Use: November 7, 1979 by Committee organizing a Highland Games or Scottish Festival for 1980; Memorial Hall Use: October 18, 1979 by Kingston Action Committee on the Status of Women)
THREE READINGS Proposed No. 79-238
Clauses 5 and 6, Report No. 103, 1979

(6) A By-Law to Confirm the Proceedings of Council at its meeting held on October 15, 1979.

THREE READINGS Proposed No. 79-239
City Council Meeting No. 40, 1979

* * *

UNFINISHED BUSINESS

Mayor Keyes reported on his trip to Prince Albert and thanked the members of Council for approving payment of his air fare. He planned to make a written report to Council. The main purpose of his trip was to formaliz the twinning of the two cities. He had presented the City of Kingston flag at a luncheon. He had brought back a copy of the civic service for the Late Honourable John Diefenbaker. He had been on the radio hot line ar had been the guest speaker for the Kiwanis Club. At his request a medalli was distributed to each member of Council from the City of Prince Albert. He said that the budget for the City of Prince Albert was completely computerized. There are no private land developers and all the developmen is done by the City. When the City wants to acquire land it can either bu it or expropriate it. The land does not have to be within the boundaries of the City. When land is expropriated outside the City the boundaries ar extended to take in the new parcel of land. The services for the developm are done by the City work force. At the present time some 600 acres of ho are under development. Municipal elections are held every three years as provided for under the legislation of that province. One lady alderman ha been on Council for 29 years and she is 73 years of age.

Alderman Webb said that he found the report of the Mayor very interesting and noted that he is not yet 73 years of age and he too might well serve Council for 29 years.

Alderman Webb said that he had received a complaint from a woman with regard to a company she had hired to insulate her home. He explained what had happened and emphasized the fact that with the government program to assist persons to insulate their homes this could happen with other people. What the City needed was a Better Business Bureau. He said he was prepare to make a motion to this effect.

Mayor Keyes said that he would accept a Notice of Motion in this regard and this Notice of Motion could be referred to the next meeting of Council. In the meantime, information could be obtained with regard to the possibil of the City having such a Bureau.

Alderman Lampropoulos said that he had been requested by the "Up With Peopl Organization to make an appeal to the residents of Kingston to billet some 80 students who would be coming to Kingston this week-end to perform in different places in the City. If any of the Members of Council or residen of the City can billet a student he would ask that they call City Hall, 546-4291, Local 296.

Alderman Lampropoulos emphasized the need for bicycle paths in the City of Kingston and explained that one person had almost been killed on Ontario Street near the National Defence College. He said that there are bicycle paths in the Township of Pittsburgh and they are well used and certainly were much safer.

Mayor Keyes said that the Administrator of Traffic, Streets and Parking had studied the matter of bicycle paths and his report would be made available to Alderman Lampropoulos. He noted that the Township of Pittsbur had received subsidy for the bicycle paths as part of the new road construc

Alderman McArthur commented on the matter of the possible conflict of inter on the part of the Mayor and Alderman Lampropoulos with regard to the purch of the Kingscourt School Property. He explained his reasons for requesting a legal opinion. He said that the opinion included references to court cas and he commented in particular with regard to the court case involving two elected members of the Board of Education of Toronto who were found to have a conflict of interest when the members voted on a teacher contract even though it was a contract for a board in which the wives of the two tru were not employed. He said that he had always declared a conflict with reg the matters related to Local 109 as his son worked for the City but it is possible in light of this particular court case that he would have a confli with regard to Local 141.

Alderman Clark said that Alderman Lampropoulos and himself are the City representatives on the board for the Chamber of Commerce. There was discus at the last meeting as to how the Chamber were going to handle consumer complaints. There was discussion about a Better Business Bureau and it was stated that they were not interested in locating in the City. He would mak any information the Chamber has available to the members of Council.

UNFINISHED BUSINESS (Cont'd)

Alderman Clark said that he had received calls from several people about the fact that they can not hear the comments of the administrators at the City Council Meeting. He suggested that a meeting be held with the cable representatives to try and resolve the sound problems.

Alderman Clark said that a recent article in the Whig-Standard had stated that two of the major developers who were expected to submit proposals for the Downtown Redevelopment had chosen to withdraw. He did not believe that it was expected that they would submit proposals.

Alderman Clark said that a memorandum had been sent to all members of Council inviting them to go to Cornwall to look at the Downtown Redevelopment Program along with members of the Downtown Core Committee. It was proposed to make this trip on Wednesday, October 24th 1979, at 9 a.m. He requested that anyone wishing to go call the secretary of the Committee as they would like to have some idea of the number of cars needed.

Alderman Clark said that this week-end he had discussed budgets with the representatives from Boucherville. He had also spent a great deal of time looking at corporate budgets. It seemed to him that the budget is one of the major responsibilities of the members of Council. Council in dealing with the budget makes some arbitrary decisions. He would like to see a committee formed to review the budgeting process. This Committee could make recommendations for next year. In the meantime there could be some minor changes made.

Mayor Keyes said that this matter would be discussed Wednesday night.

Alderman Clark said that he is concerned about the A zones. He had received a report from the Planning Board which was well written but it does not seem to solve the problem. The Planning Board is going to have a special meeting to deal with the report. The fact remains, however, that the same problems with regard to additions, etc. still exist. He would like to see an informal meeting held of those people who are concerned about this matter to try to find some solutions. He would like to invite the Chief Building Inspector, the City Solicitor and the Director of Planning and Urban Renewal to this meeting as soon as possible.

Alderman Gerretsen commented on the articles in the newspaper with regard to the possible conflict of interest of Alderman Lampropoulos and Mayor Keyes. There seemed to be differences of opinion as to what happened in the "in camera" meeting. He had brought up this matter about three or four months ago and had asked what happened to in camera items later on. At the last meeting for the first time he had reported to Council what had happened in the "in camera" meeting. He also would like a decision made with regard to how long documents dealt with "in camera" remain confidential. There should be some guidelines established.

Alderman Gerretsen said that with regard to the budget, in Boucherville, the Council meets for three days without any staff people and then they go to the staff and the staff comes back with a report on whether the recommendations of Council are feasible.

Alderman Gerretsen congratulated the Intercity Exchange Committee for their part in bringing representatives from Boucherville to the City. He realized that this Committee is on a very tight budget. However, at the reception in the Grand Theatre after the performance he had been embarrassed that there were no refreshments provided. If the City is going to get involved there should be a budget established for these purposes.

Alderman Gerretsen said that he was disappointed that there were not many representatives from Council present at the different functions over the past week-end.

Alderman Matthews asked if it would be possible to construct a sidewalk on one side of Albert Street, north of Concession Street.

Alderman Matthews said that with regard to the matter of conflict of interest as far as he was concerned neither the Mayor or Alderman Lampropoulos had a conflict of interest with regard to the purchase of the Kingscourt Public School property. Whether a person has a conflict of interest is up to the individual person to decide.

UNFINISHED BUSINESS (Cont'd)

Alderman Hawkins said that in reply to the comments made by Alderman McArthur with regard to the matter of conflict of interest, if he felt like making statements to the press he would make them. He did not require the permission of any other member of Council. He believed that if a private citizen or any alderman wishes to seek a legal opinion with regard to conflict of interest, he should do this through private counsel and not through the City Solicitor.

Alderman Timmins said that at the last Planning Board Meeting there were two major items discussed, i.e. A Zone and the high rise density by-law. He found it difficult to find an evening when all members of Council can attend. It is proposed to have a special meeting with Council to discuss these matters and he would request that the offices of the Chief Administrative Officer be used to arrange this meeting. It should be within the next two weeks.

Mayor Keyes said that every year an "In Camera" session meeting is hosted by the City and Queen's University alternately. This year it is the City's turn to host the joint meeting and to provide for the dinner. He would bring this matter up for discussion on Wednesday night.

Mayor Keyes said that two proposals were received in answer to the City's call for proposals for the Downtown Redevelopment. One was from Minto Construction Ltd. and one from Chartwood Developments Limited. These documents would be made public very shortly and presented to a joint meeting by the Downtown Core Committee. A Public Meeting would be called by the Downtown Core Committee and the Planning Board and Council. He was recommending that this meeting be held within the near future and then the proposals would be referred back to the staff for study.

Alderman Gorham said that he believed that a ratepayers group could approach an alderman and ask for advice. The alderman should be able to endeavour to obtain the answers. This matter should be placed on the Wednesday night meeting agenda - i.e. what is Council going to do about outside groups when they request advice.

Alderman McArthur said that although he had requested the report from the City Solicitor, the report had been made to all members of Council.

Alderman Webb said that he too could have a conflict of interest with regard to voting on union contracts as he is a member of a union who operates under the umbrella of the Kingston Labour Council who operates under the umbrella of the Canadian Labour Council. Any agreement that affects any possible settlement could have an affect on him. This is just as trivial as the possible conflict of the Mayor and Alderman Lampropoulos.

Alderman Webb asked who the Cataraqui, Frontenac and St. Lawrence Wards Ratepayers Association is composed of. He had contacted Dr. Hazlett and had been told that he is no longer the President. He asked how many members this Association had. He would like to receive copies of the minutes of the meetings and to be notified of when the meetings are held as he is an alderman of one of the wards concerned.

Alderman Matthews said that the Cataraqui, Frontenac and St. Lawrence Wards Ratepayers Association has been active for sometime. This group serve a good purpose. It it had not been for this group there would not have been a "Meet the Candidates" night during the past election.

* * *

ADJOURNMENT

Moved by Ald. Webb,
Seconded by Ald. Bishop,

That Council do now adjourn.

CARRIED

Council adjourned at 11:00 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

CITY COUNCIL MEETING NO. 41

A special meeting of City Council, summoned by Mayor Keyes, will be held on Wednesday, October 17, 1979 at 7:00 p.m. in the Council Chamber, City Hall, to discuss the Tricil Agreement in Meeting to be open to the Public and to meet with the Department Heads in Meeting not open to the Public.

ROLL CALL

COMMITTEE OF THE WHOLE

A) That Council resolve itself into the Committee of the Whole to discuss the Tricil Agreement.

(Note: A report from the Commissioner of Works was distributed with the agenda to all members of Council)

B) That Council rise from the Committee of the Whole and the Chairman report.

EPORT OF THE COMMITTEE OF THE WHOLE

C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MMITTEE OF THE WHOLE - IN CAMERA

) That Council resolve itself into the Committee of the Whole not open to the public to discuss with all DEPARTMENT HEADS in attendance the following motion, items suggested by the Chief Administrative Officer, and any ideas or points of interest the Council may have:

1) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That City Council will hold a special meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.

REFERRED TO CITY COUNCIL MEETING SCHEDULED FOR OCTOBER 17, 1979

2) Chief Administrative Officer system - look for constructive and innovative change if this is the majority position.

3) The proposed 1980 Budget. Guidelines should be established and a date set for all Budget Deliberations.

4) Department Heads and the Chief Administrative Officer are primarily interested in a good working relationship with members of Council.

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted,.approved and confirmed.

MOTIONS

BYLAWS

(A) That By-Law 1 be given its First & Second Reading.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

(C) That By-Law 1 be given its Third Reading.

* * *

(1) A By-Law to Confirm the Proceedings of Council at its Special Meeting held on October 17, 1979.

(THREE READINGS) (Proposed No. 79-240)

ADJOURNMENT

'S UNIVERSITY LIBRARY
UMENTS DEPARTMENT
NOV - 6 1979

CITY COUNCIL MEETING NO. 41

A special meeting of City Council, summoned by Mayor Keyes, was held on Wednesday, October 17, 1979 at 7:05 p.m. in the Council Chamber, City Hall, to discuss the Tricil Agreement in Meeting to be open to the Public and to meet with the Department Heads in Meeting not open to the Public.

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clements (arrived at 8:05 p.m.), Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp (arrived at 7:30 p.m.) Ald. Lampropoulos, Ald. Matthews, Ald. Miller (arrived at 7:10 p.m.) Ald. Tarnowecky (arrived at 7:20 p.m.), Ald. Timmins (12)

COMMITTEE OF THE WHOLE

Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That Council resolve itself into the Committee of the Whole to discuss the Tricil Agreement.

CARRIED

Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

ayor Keyes reported that the following motions were passed in the ommittee of the Whole:

oved by Ald. Gorham,
econded by Ald. Knapp,

hat the following items be added to the agenda for discussion:

) JOINT MEETING OF QUEEN'S UNIVERSITY - CITY COUNCIL

Date and Place.

JOINT MEETING OF CITY COUNCIL AND THE PLANNING BOARD RE "A" ZONE AND HIGH RISE DENSITY BY-LAW

Date.

) COMMITTEE OF THE WHOLE

a) In Camera Matters. Chairman's report to Council.

b) Delegations.

IN CAMERA ITEMS - RELEASE OF DOCUMENTS

REQUESTS FROM OUTSIDE GROUPS

LAND ACQUISITION - JOHN L. SMITH PROPERTY

Appointment of Negotiating Committee.

DELEGATION FROM KAMLOOPS, B.C.

CARRIED

COMMITTEE OF THE WHOLE (Cont'd)

(2) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That the City of Kingston go to arbitration with respect to the items at issue with regard to the agreement between the City of Kingston and Tricil Waste Management Limited.

LOST 5:7
(See Recorded Vote)

Ald. Hawkins requested a recorded vote which was as follows:

YEAS: Ald. Bishop, Ald. Clements, Ald. Hawkins, Ald. Matthews, Ald. Tarnowecky (5)

NAYS: Mayor Keyes, Ald. Gerretsen, Ald. Gorham, Ald. Knapp, Ald. Lampropoulos, Ald. Miller, Ald. Timmins (7)

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Knapp,

That a Committee composed of Ald. Hawkins, Ald. Matthews and Ald. Bishop be established to meet with representatives of Tricil Waste Management Limited to discuss the proposed amending agreement.

CARRIED 7:5

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That Council resolve itself into the Committee of the Whole not open to the public to discuss with all DEPARTMENT HEADS in attendance the following motion, items suggested by the Chief Administrative Officer and any ideas or points of interest the Council may have:

CARRIED

1) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That City Council will hold a special meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.

2) Chief Administrative Officer system - look for constructive and innovative change if this is the majority position.

3) The proposed 1980 Budget. Guidelines should be established and a date set for all Budget Deliberations.

4) Department Heads and the Chief Administrative Officer are primarily interested in a good working relationship with members of Council.

and Items 5 to 10 as per Motion No. (1).

COMMITTEE OF THE WHOLE "IN CAMERA" (Cont'd)

(B) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

Mayor Keyes reported that the following motions were passed in the Committee of the Whole "In Camera":

(1) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the motion of Ald. Hawkins and Ald. Knapp which reads as follows be tabled until the meeting of City Council scheduled for November 19, 1979:

"Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That City Council will hold a special meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc."

CARRIED
Ald. Tarnowecky opposed
Ald. Miller opposed

(2) Moved by Ald. Hawkins,
Seconded by Ald. Tarnowecky,

That a sub-committee of three members of Council be established to review the new system and report back to Council by February 1, 1980.

LOST

(3) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That there will be an "In Camera" session of Council from 7:00 to 8:00 p.m. prior to every meeting and one item of business will be the 1980 budget.

CARRIED

(4) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That discussion of the proposed 1980 budget, the guidelines to be established and the date for budget deliberations, be tabled until the meeting of Council scheduled for October 22, 1979.

CARRIED

(5) Moved by Ald. Gerretsen,
Seconded by Ald. Lampropoulos,

That a joint meeting of representatives from Queen's University and of City Council be held at the Portsmouth Olympic Harbour, press room, and that a dinner be arranged in the Harbour Restaurant with Mayor Keyes to make the necessary arrangements for a December meeting.

CARRIED

(6) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That a joint meeting of City Council and the City of Kingston Planning Board be held on November 21, 1979 to discuss the "A" Zone and High Rise Density By-Law., at 7.30 p.m. in the Council Chamber, City Hall.

CARRIED

COMMITTEE OF THE WHOLE "IN CAMERA" (Cont'd)

(7) Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That discussion of the procedure for "In Camera" items in the Committee of the Whole and delegations be deferred until a report on suggested proceedures is received by Council.

CARRIED

(8) Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That "In Camera" items be kept confidential until such time as the matter has been dealt with by Council.

CARRIED

(9) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That the appropriate staff people supply the necessary information for the City Solicitor to back up the resolution passed by City Council at the meeting of October 9, 1979 (Clause 8, Report No. 101) with regard to the fill application for the John L. Smith property for presentation at the meeting of the Executive Committee of the Cataraqui Region Conservation Authority to be held on October 24, 1979.

CARRIED

(10) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That the City notify Mr. B.W. Trumpour, Solicitor for Mr. John L. Smith, that the City is prepared to continue negotiations for the acquisition of the John L. Smith property on the south side of Princess Street in the City.

CARRIED

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Miller,
Seconded by Ald. Timmins,

That the Report of the Committee of the Whole be adopted and confirmed.

CARRIED

* * *

BYLAWS

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Law 1 be given its First & Second Reading.

CARRIED

(B) Moved by Ald. Matthews,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law 1 its Third Reading.

CARRIED

BYLAWS (Cont'd)

(C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That By-Law 1 be given its Third Reading.

CARRIED

* * *

(1) A By-Law to Confirm the Proceedings of Council at its Special Meeting held on October 17, 1979.

(THREE READINGS) (Proposed No. 79-240)
City Council Meeting No. 41, 1979

ADJOURNMENT

Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That Council do now adjourn.

CARRIED

Council adjourned at 11:00 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

CITY COUNCIL MEETING NO. 42

The Regular Meeting of City Council will be held on Monday, October 22nd 1979, commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

(Council Chamber)

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 39 held on October 9th 1979 and Meeting No. 40 held on October 15th 1979, be confirmed.

COMMUNICATIONS

To be Referred to the Chief Administrative Officer

(612) From the Provincial Secretary of Social Development concerning group homes and forwarding a Status Report on each of the recommendations contained in the group home report forwarded to the City last September and advising that they will be sending descriptions of the full range of provincial programs which cover group homes.

In order to encourage municipalities to make appropriate amendments to their official plans and zoning bylaws to permit group homes in all residential neighbourhoods, a copy of the proposed planning guidelines was also forwarded with the request that it be reviewed and any comments sent to the Provincial Secretary by the end of November.

File No. 20-5.3 and 25-2

To be Filed

(613) Copy of a letter to Mr. W.R. Pringle, Holiday Inn, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Pringle's application for additional dining lounge facilities to dining lounge No. 10 on the sixth floor, no capacity.

File No. 12-6

COMMUNICATIONS (Cont'd)

To be Referred to the Planning Board

(614) Copy of a letter to Mr. Peter J. Radley, Radley, McNeely, Barristers and Solicitors, from the Ministry of Housing concerning Proposed Amendment No. 95 to the Official Plan for the City of Kingston, Bennett's Foods Limited, advising of the following:

(1) On October 24, 1978 the City of Kingston advised the Ministry that Section 12 of the Planning Act had been complied with and enclosed with that letter the minutes of the Planning Board Meeting of March 21, 1978, and advising that the meeting had been advertised by the Association of Women Electors.

(2) Subsequent to the amendment being approved, the Ministry received a letter from the Association of Women Electors of Kingston Area expressing concern about the City's use of their advertisement on March 20, 1978 to satisfy the requirements of the Planning Act.

(3) The question of what constitutes satisfactory compliance with Section 12 of the Planning Act was discussed with the Ministry's legal counsel.

(4) The legal counsel advised that since the Ministry had been informed by the City that Section 12 of the Planning Act had been complied with, and since the Ministry had no formal objections to the amendment, on file, there was no reason to withold approval of the amendment.

File No. 16-1.1-95

To be Referred to the City Treasurer

(615) Statement from the Hon. Thomas L. Wells, Minister of Intergovernmental Affairs, on the subject of Implementation of New Equalization Factors for Municipal Purposes.

(Note: Copy of this statement has been distributed with the Agenda to all members of Council)

File No. 1-3

To be Filed

(616) From the City Hall Staff Association advising of the City Hall's Christmas Party to be held on December 8, 1979 at the Holiday Inn and inviting members of Council and their escorts to attend.

(Note: Copy of invitation has been distributed with the Agenda to all members of Council)

File No. 5-3.8

(617) From Simpsons-Sears Limited inviting all members of Kingston City Council to attend their Open House for the Handicapped to be held on November 17, 1979 between the hours of 6:30 p.m. and 9:00 p.m.

File No. 3-6

COMMUNICATIONS (Cont'd)

(618) From the Hon. Lorne Maeck, Minister of Revenue, Ontario, acknowledging receipt of Council's resolution (R. 92(3) 79):

> *"That the City of Kingston request a study of market value 1975 by Provincial Assessment Officials to determine the feasibility of implementing equalized assessment in the City of Kingston. It is expected that there will be no financial obligation by the City and the Council can in turn study the results before making any decision to proceed further."*

and notice of the possibility of Council requesting that the aforementioned study be expanded to include a study of the feasibility of all equalized assessments being undertaken as a condition of sale of a property *(note: this possibility was NOT approved by Council on September 24, 1979, when R. 96(15) 79 was LOST)* and notifying:

(1) That Mr. W.J. Lettner, Director of Field Operations of the Assessment Division has been requested to conduct a study in preparation for the possibile return of a revised assessment Roll for taxation in 1981;

(2) As soon as information is available a meeting will be arranged to allow Council to become fully aware of the effects of Section 86 of The Assessment Act on the City's assessment base; and

(3) That the additional study *(now not approved by Council)* cannot be undertaken by the Assessment Division since current legislation does not permit the adjustment of assessments solely under the circumstances proposed in the Notice of Motion.

File No. 1-3.2

Which has Been Referred to the Chief Administrative Officer

(619) From Mr. Keith Hewson on behalf of the Parr Christie Singers requesting a grant from the City of Kingston in the amount of $300.00 as a contribution towards the purchase of new apparel (blazers, slacks, skirts) for the Singers. Mr. Hewson advises that the Group has obtained a Wintario Grant under the condition that they match the amount from their own resources, part of which has already been raised, and the rest through projects being planned for the future.

File No. 7-3

To be Referred to the Parks & Recreation Commissioner

(620) From Caroline Gartenburg on behalf of the Kingston Rideau Trail Club requesting support from the City to have McKibbin Park retained as passive recreational land rather than be sold to the Conservation Authority.

File No. 17-3

To be Filed

(621) From the Hon. Keith C. Norton thanking the City for the copy of its letter of October 10, 1979, concerning the City of Guelph's resolution regarding renumeration paid to members of Council serving on Boards, which City Council did not endorse. (R. 101 (2) 79)

File No. 19-7

COMMUNICATIONS (Cont'd)

Which Has Been Referred to Mayor Keyes

(622) From the Secretariat for Social Development notifying the City that the first Ontario Career Week will be observed October 29th through November 4th, 1979. This event is designed to focus on career education throughout the province and to lend direction to dialogue on this topic. The City is being requested to endorse this initiative.

File No. 17-9

To be Filed

(623) From Mrs. Moira C. Cartwright, Chief Librarian of the Kingston Public Library, thanking the City for notification of the budget transfer of $10,000 from finance contingencies to the Library.

At its meeting of October 16th the Library Board approved a resolution of appreciation to City Council for the reception of their delegation on September 24th and the additional funding which was approved at the subsequent meeting on October 1st. Mrs. Cartwright also advises that the Board will attempt to follow the suggestions made in Schedule "L" to Report No. 100 of City Council.

File No. 17-10

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 104 of the Gasoline Advisory Committee be received and adopted.

That Report No. 105 of the City of Kingston Planning Board be received and adopted.

That Report No. 106 of the Chief Administrative Officer be received and considered.

REPORT NO. 104

To the Mayor and Aldermen: October 16th, 1979.

The Gasoline Advisory Committee reports and recommends as follows:

1. That Section 6 of By-law 1998, a by-law to require the closing of gasoline service stations during certain hours, be deleted and the following substituted therefor:

   6. Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not less then $50.00 or more than $1,000.00 for a first offence and not less than $100.00 or more than $1,000.00 for a second or subsequent offence, exclusive of costs, and every such fine is recoverable under The Summary Convictions Act. Upon a conviction being entered, the Court in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this by-law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.

   NOTE: The proposed amendment provides an escalating penalty on second and subsequent convictions. Section 6 presently reads as follows:

   Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or a Justice of the Peace acting within his territorial jurisdiction, a penalty not exceeding (exclusive of costs) the sum of $50.00 for each offence.

(See By-Law 2: No. 79-242)

2. That the following amendments be made to the Extended Hours Rotation Schedule for the period July 1st, 1979 to June 28th, 1980:

Series "A" - Delete "Edward's Drive Ur Self (Kingston) Ltd., 601 Princess Street".

NOTE: This business no longer exists as a gasoline outlet.

Series "C" - Delete "Lorne Whitaker's Wash" and substitute "Lorne Whitaker's Beaver Station" (77 Concession St.) therefor.

Delete "Bob Moon's Car Wash" and substitute "B.P. Car Wash" (834 Princess St.) therefor.

Series "E" - Delete "B.P. Service Station" and substitute "B.P. Self Serve" (1129 Princess St.) therefor.

ee By-Law 2: 79-242)

Respectfully submitted,

Chairman.

REPORT NO. 105

October 16, 1979.

o the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as ollows:

That, as recommended by the Development Control Committee, the following plans submitted by Bell Canada in fulfillment of a condition of the development control agreement be approved:

Dwg. 1-a - Proposed Landscaping Plan - Scale-1:200
- Date July, 1979.

Respectfully submitted,

Chairman.

REPORT NO. 106

October 22, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by Mayor Keyes, to implement the initiative of the Youth Secretariat of the Ontario Secretariat for Social Development to focus on career education throughout Ontario and to lend direction to dialogue on this topic, the week of October 29th to November 4th 1979, be proclaimed *"Ontario Career Week"* in the City of Kingston - and further -

That the Mayor be authorized to publish a proclamation in the Whig-Standard.

2. That, as recommended by the Residency Appeal Committee, the City of Kingston negotiate agreements with neighbouring townships to pay the municipal share of housing subsidy for residents of their municipalities who apply for housing and are housed by Kingston Housing Authority.

(Note: A copy of the report of the Chief Administrative Officer is attached as Schedule "A", 3 Pages.)

3. That, as recommended by the Commissioner of Parks and Recreation, the following accounts of J. D. Lee Engineering being progress payments to this firm for their engineering services in connection with the renovations to the Elmer Youth Centre be approved for payment it being noted that there are sufficient funds in the W.I.P. - Renovations - Elmer Youth Centre - for this purpose:

i) Invoice No. 357, July 31/79 -	$1,588.09
ii) Invoice No. 491, Sept.28/79 -	2,330.91
	$3,919.00

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 1 Page.)

. That, as recommended by the Commissioner of Parks and Recreation, the City enter into a lease with the Canadian Hearing Society for 636 square feet of floor space, situated on Bagot Street, in the City of Kingston in part of the building known as the Recreation Centre, City Park at a rental of $795.00 per year and the Mayor and City Clerk be authorized to sign said lease.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "C", 7 Pages.)

5. That, as recommended by the City Treasurer, the following budget transfers be approved:

EXPENDITURES	INCREASE	DECREASE
Finance - Salaries - Supplementary Pension	$18,866.	
(Supplementary Pension added cost for Local 141 & Non-Union approved by City Council)	4,872.	
Finance Travelling	2,000.	
Finance - Interest on Temporary Borrowing	18,000.	
Finance - Discount on Tax Prepayment Certificates	1,263.	
	$45,001.	

REVENUE		
Other Taxation Bell Telephone & C.N.R.		$ 13,240.
General Support Grant		1,289.
Sale of Property		66,005.
Resource Equalization Grant	$19,001.	
Community Centres Grant	18,257.	
Student Involvement Grant	2,277.	
Interest on Investments	43,000.	
Penalty & Interest on Taxes	43,000.	
	$125,535.	$ 80,534.

(Note: A copy of the report of the City Treasurer is attached hereto as Schedule "D", 2 Pages).

6. That, as recommended by the Director of Purchasing, Tender No. 79-35 for Fire Department Clothing be awarded, in part, as follows:

ITEM 1 - 39 Three Piece Uniforms	-	L. Kiwak (Kingston) $6,168.00 T.I.P. delivered.
ITEM 2 - 3A, 3B, & 4 - Caps	-	Stokes Cap & Regalia $480.80 T.I.P. delivered.
ITEMS 5A, 5B, 6A, 6B & 7 - Shirts and Ties	-	Continental Shirt - $3,567.25 T.I.P. delivered.
ITEM 8 - Parkas	-	Outdoor Outfits - $1,143.56 T.I.P. delivered.

being the lowest tenders received.

(Note: A copy of the Tabulation of Tender No. 79-35 is attached hereto as Schedule "E", 3 Pages.)

7. That the Council of The Corporation of the City of Kingston approves the three events, as follows, being presented by The Canadian & United Kingdom Club at the Steelworkers' Hall as a Community Festival, being of community benefit:

Event 1

November 10, 1979 - British Fun Night (Informal Social and Dance gathering. Some Professional comedy acts, food and amateur entertainment.)

Event 2

February 16, 1980 - Fish and Chip Night (Traditional Food, entertainment and dancing.)

Event 3

April 19, 1980 - Toronto Night.

(in collaboration with the Canadian Amateur Ballroom Dancers Association, Toronto, demonstrations of the Modern Waltz, Quickstep and Latin American categories.).

(Note: The Club has been in operation for 11 years. The Club is a member of the Folk Arts Council and puts on volunteer entertainment for senior citizens.

Endorsation of Council is requested in order to obtain a liquor licence.

See copy of letter from the Canadian United Kingdom Dance Club attached hereto as Schedule "F", 1 Page.)

8. WHEREAS By-Law No. 8820, "A By-Law to Provide for Land for Park Purposes Pursuant to Section 35(b) of The Planning Act" provides that the Building Inspection Department shall not issue any building permit for the construction of, alteration of or addition to any building or part thereof containing or designed to contain three or more dwelling units unless the applicant conveys to the City either land in an amount equal to 5% of the land for which the subject permit applies or cash in lieu of such land which is equal in value to 5%;

AND WHEREAS application has been received for the issuance of a building permit to convert the building at 176 Nelson Street which consists of a building containing three dwelling units and a former store into a fourth dwelling unit;

AND WHEREAS By-Law No. 8820 lays down a procedure which is no longer applicable since there is no longer a Parks and Recreation Committee, and the Director of Planning and Urban Renewal proposes to recommend a revised procedure to the Planning Board;

THEREFORE BE IT RESOLVED that as recommended by the Director of Planning and Urban Renewal and the Commissioner of Parks and Recreation the City accept cash in lieu of land inasmuch as the lot is very small i.e. 30 ft. x 117 ft. and is occupied for the greater part by the existing building.

(Note: A copy of the report of the Chief Administrative Officer and the Director of Planning and Urban Renewal is attached as Schedule "G", 2 Pages.)

9. That, as recommended by the City Treasurer, application be made to the Province of Ontario for approval of subsidy for the purchase and equipping of a bus for the handicapped at a cost not to exceed $12,500., it being understood that the Kingston Bus for the Handicapped will assume 50% of the cost and ownership of the bus will remain with the City; the bus will be leased to the Kingston Bus for the Handicapped naming the City as owner and Kingston Bus for the Handicapped will also be responsible for any deductible amount on the insurance coverage;

and further -

That a by-law be presented to Council to authorize the execution of an agreement with the Kingston Bus for the Handicapped to implement the foregoing recommendation, and the following budget transfer be approved:

	INCREASE	DECREASE
Finance - Kingston Bus for the Handicapped	$12,500.	
Revenue - Subsidy Kingston Bus for the Handicapped		$6,250.
Other Revenue - Kingston Bus for the Handicapped		$6,250.

- and further -

that the Mayor and City Clerk be authorized to sign the lease agreement with the Kingston Bus for the Handicapped.

- and further -

Once the Provincial approval for subsidy is received, the Director of Purchasing be authorized to purchase a bus, subject to the approval of the Kingston Bus for the Handicapped on whether a new or used bus will be acquired, depending on the price received for a new bus.

(A copy of the report of the City Treasurer and the Chief Administrative Officer is attached as Schedule "H", 5 Pages.)

(See By-Law 9: No. 79-247)

0. That, as recommended by the Commissioner of Parks and Recreation and the Chief Administrative Officer, a lease be entered into with Homestead Land Holdings Limited for a piece of property known as Block "C", Newcourt Fields Subdivision for park purposes on the following conditions:

a) The lease will be for $1.00 a year for a term of three years.

b) The City would waive the taxes applicable to this parcel of land which would amount to approximately $452.49.

c) Renewal of the lease would be automatic annually after the three year period.

and further -

That the Mayor and City Clerk be authorized to sign the lease agreement .

(Note: A copy of the report of the Chief Administrative Officer and the Commissioner of Parks and Recreation is attached as Schedule "I", 4 Pages.)

11. That a by-law be presented to Council to amend Section 10(b) of By-Law 24 (Traffic) as follows:

Add:	Area
Kirkpatrick St. N/S in front of Q.E.C.V.I.	from 80 feet east of the entrance to parking lot at Q.E.C.V.I., easterly 80 ft.
Delete:	
Kirkpatrick St. N/S at west entrance to Q.E.C.V.I.	80 feet (By-Law 4865-1965)

(Note: A copy of the report of the Administrator, Traffic, Streets and Parking is attached hereto as Schedule "J", 3 Pages.)

12. That, as recommended by the Administrator, Traffic, Streets and Parking, and pursuant to the provisions of the Expropriation Act, a by-law be presented to Council to authorize the expropriation of the vacant property of Canada Life, et al, on the south side of Queen Street between Montreal and Bagot Streets, described as Part of Lot 302, being required as part of the site for a parking lot and future parking garage.

(Note: A copy of the report of the Administrator, Traffic, Streets and Parking is attached hereto as Schedule "K", 1 Page.)

(See By-Law 4: No. 79-244

13. That, as recommended by the Commissioner of Industries and Airport Administrator, in view of the urgent need to meet the minimum requirements of the Ontario Ministry of Labour Industrial Safety Act, the tender received from Parkington Homes Limited to supply a single self-contained modular unit to be installed at the Norman Rogers Airport in the amount of $11,493.00 be accepted, being the lowest tender received.

and further -

That the amount of $8,500 allocated in the 1979 Airport Budget, Account 4585, for the purchase of the Hansler building be allocated for this purpose.

and further -

That the following budget transfer be approved:

	Increase	Decrease
AIRPORT Contributions from Revenue Fund, Acct. 4585		$8,500.
Building Maintenance, Acct. 4552	$8,500.	

(Note: A copy of the report of the Commissioner of Industries and Airport Administrator is attached as Schedule "L", 5 Pages.)

14. That, as recommended by the Administrator, Traffic, Streets and Parking, the Township of Kingston be notified that:

a) that one access will be permitted on Bath Road for the entire site location between Armstrong Road and Frontenac Mall,

b) that the entrance be provided with a deceleration lane twlve feet wide from Armstrong Road to the entrance.

c) that the developer will be responsible for obtaining an easement for a City sidewalk, to be constructed at the expense of the developer,

d) that the Township will be responsible for maintaining the sidewalk.

- and further -

That a by-law be presented to Council to authorize an agreement with Terence J. Tait regarding the following City conditions set out by the Frontenac County Land Division Committee"

"a) That the property owner deed a 10-foot strip across the front of the property (deed already provided).

b) That one access only be permitted on Bath Road with right hand turns in and out only.

c) That the developer be responsible for constructing a sidewalk at his expense.".

(Note: A copy of the report of the Administrator, Traffic, Streets and Parking is attached hereto as Schedule "M", 5 Pages.)

(See By-Law 1: No. 79-241)

Respectfully submitted,

R. J. Hamilton,
Chief Administrative Officer.

Schedule "A" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 8-3.9

October 15, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: RESIDENCY APPEAL COMMITTEE

We are forwarding herewith a report from Mr. Gordon Ball, wherein the Residency Appeal Committee are recommending that the City pass the attached resolution, whereby the City of Kingston would negotiate agreements with neighbouring townships to pay the residential share of subsidy for residents who apply for and are housed by the Kingston Housing Authority.

We enquired from Mr. Ball on the number of persons that could be involved in this matter and he indicated that based on the applicants, approximately thirteen are from outside the City that have been approved.

For Council's information, the following items should be set out.

(1) Firstly, the City presently pays losses for the operation of its Housing Authority at 7½% per year.

(2) There are presently quite a number of applicants and persons receiving its service who are from outside the City limits.

(3) Approval of the applications at this time places persons on the waiting list and this means the persons qualify based on the number of points that have been allocated to him.

...2/

(4) It is interesting to note that a number of other Municipalities have negotiated with Townships in surrounding municipalities for this particular service.

We would therefore recommend that attempts be made to negotiate these agreements as quickly as possible.

Yours truly,

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "A" to Report No. 106
(Page 3)

It was moved by Mr. Roney, seconded by Mr. Bryce and carried that the following resolution be submitted to City Council:

> *"Whereas many municipalities with a Housing Authority have entered into agreements with neighbouring municipalities to provide rent-geared-to-income housing with the municipal subsidy to be paid by the municipality of the resident applicant, and*
>
> *Whereas many residents from neighbouring municipalities are applying for rent-geared-to-income housing through the Kingston Housing Authority,*
>
> *Therefore, be it resolved that the City of Kingston negotiate agreements with neighbouring townships to pay the municipal share of housing subsidy for residents of their municipalities who apply for housing and are housed by Kingston Housing Authority."*

Meeting adjourned at 12:40 p.m.

Chairman

Schedule "B" to Report No. 106
(Page 1)

OCT 16 1979

EMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

: R. J. Hamilton, C.A.O.

OM: Douglas R. Fluhrer, Commissioner.

TE: October 15, 1979.

: Engineering Services - Elmer Youth Centre Renovations
J. D. Lee Engineering

ittach and recommend payment of the two invoices from J. D. Lee gineering as follows:

a)	Invoice No. 357, July 31/79.	-	$ 1,588.09
b)	Invoice No. 491, Sept.28/79.	-	2,330.91
			$ 3,919.00

ese invoices are progress payments to this firm for their engineering rvices.

cidentally, this project is now back on schedule and the facility uld be refit and ready for use in very early November.

iglas R. Fluhrer,
imissioner.

/sw

ach.

Schedule "C" to Report No. 106
(Page 1)

OCT 17 1979

MEMORANDUM

R. J. Hamilton,
Chief Administrative Officer.

Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

October 17, 1979.

CT: **LEASE - CANADIAN HEARING SOCIETY - RECREATION CENTRE, CITY PARK.**

N: A request for space has been received from the Canadian Hearing Society, who were formerly located in the old library.

SIS: The Hotel Dieu Hospital had reason to take back use of the old library and it became necessary for the Canadian Hearing Society to find other facilities.

They were shown the upstairs of the City Park Recreation Centre, and the facility suited their purposes. This proposal was taken to an earlier meeting of Council and Council approved the proposal in principle, subject to final negotiations and the lease coming back for their consideration.

ATIVE: This particular space, in this building, is really surplus to need and the rent received will offset a great deal of the utility cost for the entire building. (Approximately $800.00 per annum revenue.)

IAL
ERATIONS: In view of the fact the space is not required by the City, and that the rest of the building is required on a year-round basis and, therefore, must be heated, this revenue will offset operating costs to the advantage of the City.

NDATION: It is recommended that the Canadian Hearing Society's use of the building, as per the terms of the attached lease, be confirmed by Council.

R. Fluhrer,
ioner.

Schedule "C" to Report No. 106
(Page 2)

PARKS AND RECREATION
OCT 9
REC'D.

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. L-137

MEMORANDUM

TO: Mr. D. Fluhrer,
Commissioner of Parks & Recreation.

FROM: Norman C. Jackson,
City Solicitor.

DATE: October 3, 1979

RE: LEASE - CANADIAN HEARING SOCIETY
- RECREATION CENTRE, CITY PARK

As requested by Mr. Peter Lawson of your department, I have prepared a lease between The Corporation of the City of Kingston and the Canadian Hearing Society, to lease space at the Recreation Centre, City Park, Bagot Street.

I enclose herewith a photocopy of the lease for your perusal and submission to Council, if it meets with your requirements.

:dg
encl.

Norman C. Jackson
City Solicitor.

c.c. to: Mr. Peter N. Lawson,
Director of Operations,
Department of Parks & Recreation.

P.S.: Would you please arrange to have a sketch outlining the area being leased attached to the lease agreement as Schedule "A", as we have done in the past with the leases for the J.K. Tett Centre.

Schedule "C" to Report No. 106
(Page 3)

THIS AGREEMENT MADE the 3rd day of October, 1979.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON
(hereinafter called the "Lessor")
OF THE FIRST PART

- and -

CANADIAN HEARING SOCIETY
(hereinafter called the "Lessee")
OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contained on the part of the Lessee, the Lessor doth demise and lease unto the Lessee part of the building known as the Recreation Centre, City Park, covering approximately Six Hundred and Thirty-Six (636) square feet of floor space, situated on Bagot Street in the City of Kingston, in the Province of Ontario, as shown on the attached Schedule "A";

TO HAVE AND TO HOLD the said demised premises for and during the term of Five (5) Years, to be computed from the First day of September, 1979, and from thenceforth next ensuing and fully to be complete and ended;

YIELDING AND PAYING THEREFOR unto the said Lessor, commencing the first day of September, 1979, a sum of Seven Hundred and Ninety-Five Dollars ($795.00) per year, calculated at One Dollar and Twenty-Five Cents ($1.25) per square foot per year, payable on the first day of September of each and every year of the term of the lease. The annual rental rate shall be adjusted in accordance with an increase in the cost of utilities services until the completion of this lease and

Schedule "C" to Report No. 106
(Page 4)

any extension thereof.

THE SAID LESSEE COVENANTS AND AGREES WITH THE SAID LESSOR AS FOLLOWS:

1. To pay rent.

2. To take out, pay for and keep in force and file with the Lessor, a policy of insurance which shall cover bodily injury, liability and property damage for the area leased and for the users of the area arising from the use or occupancy of the demised premises, in the amount of $500,000.00 and in a form satisfactory to the Lessor.

3. The said Lessor may enter and view the state of the facility at any time, and the said Lessor shall make any repairs according to notice in writing by the Lessee of any reasonable wear and tear.

4. Any renovations that the Lessee may wish to undertake to meet its requirements shall be done at its own expense and the plans therefor shall be referred to the Commissioner of Parks and Recreation for approval before any work is undertaken.

5. To indemnify and save harmless the Lessor from and against all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained, brought or prosecuted in any manner, based upon, occasioned by or attributable to any injury or damage arising or resulting from any act or omissions of the Lessee, its servants or agents in using or occupying the said demised premises.

6. To use the premises only for quiet performing type activities.

7. To leave the premises in good repair, reasonable wear and tear and damage by fire, lightning and tempest only excepted.

IT IS MUTUALLY AGREED:

1. At the termination of the term of any renewal of this agreement, provided that the building is not required for municipal purposes, the Lessor shall grant to the Lessee the first right of refusal to rent the premises, provided that the Lessee has complied with all the terms of this lease to the satisfaction of the Lessor, at such rental as the Lessor is willing to accept from any other party, the Lessee to have thirty (30) days within which to notify the Lessor of its acceptance or refusal of such an offer to rent, that time to run from the date it receives written notice of such an offer from the Lessor.

2.(i) The parties agree that it is desirable that City-owned lands and buildings be used for cultural and recreational activities as much as possible, and that when the premises are not being used by the Lessee, the Lessor may use the property itself, and the Lessee will also arrange for other citizen groups to make use of the building or a portion thereof for quiet, amateur, cultural activities such as dancing when it is reasonable to do so, it being understood that such uses of the premises by other groups will be for very short time periods only, and that such groups will:

(a) be responsible for all damages to the building arising out of the use of the building or any part thereof;

(b) save the Lessor and the Lessee harmless for any claims arising out of the use of the premises;

(c) pay for or provide a surety bond or other satisfactory guarantee for the undertakings in section 2(i) (a) and (b) above, and pay the premium for additional insurance coverage as required by the Lessee;

(d) will not make any changes to the interior of the building;

(e) be responsible for any direct costs incurred for the use of the building, such as heat, light and janitorial service, but will not be required to pay any rental for the use of such premises except with the approval of the Lessor.

(ii) The Lessee shall not unreasonably withhold approval for citizens groups to use the building.

3. One year's written notice of intent by either party is required prior to termination or renewal negotiations of the agreement.

4. The Lessor reserves the right to review or terminate the said agreement should the property be required for City use, with the Lessee to receive ninety (90) days written notice.

5. The Lessee will not allow any ashes, refuse, garbage or other loose or objectionable material to accumulate in or about the above-mentioned property and shall at all times keep the said land in a clean and wholesome condition, and the Lessor shall be responsible for the pick-up of properly packaged debris from an agreed upon location.

6. The Lessee shall exercise parking control subject to the approval of the Department of Parks and Recreation within the designated area.

7. The said leave and lease is not transferable in any manner whatsoever and the Lessee shall not acquire any easement, right, title or interest in respect thereof.

8. Upon termination of the agreement, the Lessee may remove its fixtures, provided that the premises are left in a state satisfactory to the Lessor.

9. In the event of fire, lightning or tempest, rent shall cease until the premises are rebuilt, provided that the Lessor shall be under no obligation to rebuild if substantial damage occurs.

10. In the event of non-payment of rent or in the event of the breach of any of the provisions of this lease, the Lessor may re-enter, and the lease is thereby terminated, after having given the Lessee thirty (30) days notice in writing to rectify the non-payment.

11. THESE PRESENTS and everything herein contained shall respectively enure to the benefit of and be binding upon the parties hereto, their executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Lessor has hereunto affixed its corporate seal under the hands of its Mayor and City Clerk, and the Lessee has hereunto affixed its corporate seal under the hands of its duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE CITY OF KINGSTON
)
) ______________________
Mayor
) ______________________
City Clerk
)
)
CANADIAN HEARING SOCIETY
)
) ______________________
) ______________________

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 17, 1979

TO: R.J. Hamilton,
Chief Administrative Officer

FROM: B.G. Cousens,
City Treasurer

RE: 1979 Budget

I attach herewith a list of budget transfers in order to update some of our Revenue and Expenditure accounts.

You will note that I have decreased the Sale of Property Revenue by $66,005.

With the present balance in Finance Contingencies and the possibility of some of the expenditure budgets being underexpended at year end, I expect that we should end up the year with a modest surplus.

At the moment, there are two unknown factors relating to the budget. We still have an additional assessment to levy and as of today, I am not sure what the amount of that additional assessment will produce. The other matter is Building Permits, which is still questionable whether or not we will meet our projected budget in this regard.

I should appreciate it if the attached budget transfers could be presented to Council for approval.

BGC/jt
Encl.

Schedule "D" to Report No. 106
(Page 2)

BUDGET TRANSFERS

	Increase	Decrease
Expenditures		
Finance - Salaries - Supplementary Pension (Supplementary Pension added cost for Local 141 & Non-Union approved by City Council)	$18,866.	
Finance - Arbitration & Negotiations	4,872.	
Finance - Travelling	2,000.	
Finance - Interest on Temporary Borrowing	18,000.	
Finance - Discount on Tax Pre-payment Certificates	1,263.	
	$45,001.	
Revenue		
Other Taxation Bell Telephone & C.N.R.		$13,240.
General Support Grant		1,289.
Sale of Property		66,005.
Resource Equalization Grant	$19,001.	
Community Centres Grant	18,257.	
Student Involvement Grant	2,277.	
Interest on Investments	43,000.	
Penalty & Interest on Taxes	43,000.	
	$125,535.	$80,534.

SUMMARY OF TENDER NO. 79-35

for

FIRE DEPARTMENT CLOTHING

PAGE ONE

PERIOD OF USE: One Year
METHOD OF INVITATION: Public & Individual Notices
NO. OF INVITATIONS SENT: 40

DATE OF CALLING: September 6, 1979
DATE OF CLOSING: September 20, 1979
NO. OF TENDERS RECEIVED: 13

ITEM	QTY.	DESCRIPTION	(1) DOVER'S LTD.	(2) SAINTHILL LEVINE	(3) STOKES CAPS	(4) L. KIWAK	(5) J. R. GAUNT	(6) SCOTT LASALLE	(7) MUIR CAPS
1.	39	UNIFORM - three piece fireman's uniform (one jacket, two pr. trousers) - 9 Officers, 30 firemen	6,669.00 Fabric not to spec. 65% wool 35% polyester	4,941.30 Fabric not to spec. 70% polyester 30% acrylic	-	6,168.00 Fabric not to spec. 65% polyester 35% rayon	6,961.50 Fabric not to spec. 55% polyester 45% wool	6,240.00 Fabric not to spec. 65% polyester 35% rayon	-
2.	30	FIREMAN'S CAP - Blue serge uniform	570.00	495.00	288.00	-	435.00	-	288.00
3.A	1	OFFICER'S CAP - Blue serge uniform	26.75	23.00	13.60	-	22.00	-	14.85
3.B	8	OFFICER'S CAP - White top uniform	120.80	184.00	108.80	-	176.00	-	118.80
4.	1	CHIEF'S CAP - Blue top uniform	52.00	52.00	38.95	-	49.00	-	32.75
		DELIVERY	5 weeks	8 - 10 weeks	Not Shown	6 - 7 weeks	60 days	Not Shown	21 days

ITEM	QTY.	DESCRIPTION	LTD.	LEVINE	CAPS	IND.	LTD.	UNIFORMS	OUTFITS	SHIRTS	& SON	EVANSON
5.A	44	OFFICER'S SHIRT - white uniform, short sleeve	440.00	470.80	541.20	465.08	-	-	404.80	364.32	528.00	391.60
5.B	44	OFFICER'S SHIRT - white uniform, long sleeve	462.00	431.20	668.80	491.48	-	-	448.80	395.12	550.00	444.40
6.A	146	FIREFIGHTER'S SHIRT - blue, uniform short sleeve, convertible collar	1460.00	1518.40	1795.80	1499.42	-	-	1343.20	1165.08	1165.08	1241.00
6.B	146	FIREFIGHTER'S SHORT - blue uniform, long sleeve	1533.00	1387.00	2219.20	1587.02	-	-	1489.20	1267.28	1311.08	1416.20
7.	96	TIES - uniform black tied, clip-on style, black clip	2.75/ea. (264.00)	2.50/ea. (240.00)	-	1.65/ea. (158.40)	1.85/ea. (177.60)	-	-	1.48/ea. (142.08)	1.48/ea. (142.08)	2.10/ea. (201.60)
8.	25	PARKA	-	1498.75	-	1056.25 Tall + 10% 48-50 +10% 50 + 15%	-	2250.00	1068.75	-	-	-
		DELIVERY	5 weeks	8-10 wks.	Not Shown	6-8 wks.	60 days	3 - 4 weeks	Not Shown	5 - 6 wks.	7-8 wks.	Not Shown

REMARKS

The herein tabulation is a summary of all tenders received in response to the subject tender.

Specifications for Item 1 were based on fabric selection provided by the Association calling for a 55% polyester - 45% rayon mixture: Unfortunately, his fabric is reportedly unavailable from Canadian Mills at this time. Resultantly all bidders have quoted on uniforms employing alternate fabrics.

The fabric quoted by bidders No. 4 and 6, (page 1) more closely approximate the specification.

To obviate indeterminable delays in procurement, the acceptance of substitute has been concurred by both the Fire Chief and the Association.

....../page three attached

SUMMARY OF TENDER NO. 79-35

RECOMMENDATION

It is recommended for consideration that the subject tender for the supplying of certain uniform clothing for the Fire Department be awarded, in part, s follows:

ITEM 1 - 39 THREE PIECE UNIFORMS	- to L. KIWAK (KINGSTON) in the amount of $6,168.00 T.I.P. delivered, being the lowest acceptable tender received.
ITEMS 2, 3A, 3B, & 4 - CAPS	- to STOKES CAP & REGALIA in the amount of $480.80 T.I.P. delivered, being the lowest tender received.
ITEMS 5A, 5B, 6A, 6B, & 7 - SHIRTS & TIES	- to CONTINENTAL SHIRT in the amount of $3,567.25 T.I.P. delivered, being the lowest tender received.
ITEM 8 - PARKAS	- to OUTDOOR OUTFITS in the amount of $1,143.56 T.I.P. delivered, being the lowest tender received.

Respectfully submitted,

M. J. Ewart,
Director of Purchasing.

JE/jg

Schedule "F" to Report No. 106
(Page 1)

Council - Has been referred to the C H. O.

LE
12-6

CANADIAN UNITED KINGDOM DANCE CLUB

14 Fairfield Bvd.
Amherstview
Ontario.

Mr. T.J. Kibbin
City Clerk Controller
City Hall
Kingston

Dear Sir, The Canadian United Kingdom Dance Club wishes to make application to City Council for approval of three dance events we have planned for the 1979/80 season.

You already have on record the aims and objectives of our club, as you approved some events for us last year at about this time. We also point out that we are members in good standing of the Folk Arts Council.

We feel the following events for which we make application are of cultural interest to the Kingston district community and deserve to be known to them.

Event 1: British Fun Night on the 10th. November 1979 informal social and dance gathering. Some professional comedy acts, food and amateur entertainment.

Event 2: Fish and Chip night on 16th. Feb 1980 traditional food, entertainment and dancing.

Event 3: Toronto night. on 19th. April 1980 In collaboration with Canadian Amateur Ballroom Dancers Association Toronto. Demonstrations by some of their members. Similar to last year.

These events were well recieved last year and we believe contributed to good social relations in this city.

If approval is granted we will notify the City Fire Dept. Police and Health Authorities and forward all relevent information to the Liquor Licensing Board of Ont. at least 60 days before the events take place. If any additional information is needed please contact the telephone number below.

yours truly,

Arthur A. Peck
President.
389-0662

of Kingston
CEIVED
OCT 15 1979
RTMENT OF
CITY CLERK

CORPORATION OF THE
CITY OF KINGSTON

FICE OF THE
irector of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 16, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: 176 Nelson Street - 5% for Public Purposes

By-Law No. 8250 requires a conveyance of land or cash for parks purposes prior to issuance of a building permit for construction of, alteration of, or addition to any building containing three or more dwelling units. 176 Nelson Street consists of a building containing three dwelling units and a former store. The owner proposes to convert the store into a fourth dwelling unit which thus subjects the property to the application of By-Law No. 8250.

Mr. Fluhrer and I have discussed the matter and agree that it would be appropriate to accept cash in lieu of land inasmuch as the lot is very small - 30 ft. x 117 ft. and is occupied for the greater part by the existing building. It would be appreciated if this recommendation for the acceptance of cash in lieu of land could be recommended for approval by Council.

By-Law 8820 (as per copy attached) lays down a procedure in such cases which is no longer applicable since there is no longer a Parks & Recreation Committee. I will be recommending a revised procedure at the next Planning Board meeting.

Yours very truly,

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

GGM/mm
Encl.

c.c. Messrs. Fluhrer & Ruttan

Schedule "G" to Report No. 106
(Page 2)

CORPORATION OF THE
CITY OF KINGSTON
FFICE OF THE Chief Building Official

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-4

October 17, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: 176 Nelson Street - 5% for Public Purposes

We are forwarding herewith a memorandum from Mr. Muirhead recommending that the City accept cash in lieu of land dealing with this particular property at 176 Nelson Street. It is further noted that Mr. Fluhrer has concurred with this approach in lieu of land and we would therefore recommend that Council adopt the report and the position as shown by the Department Heads.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "H" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-5.4

October 17, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: KINGSTON BUS FOR THE HANDICAPPED

We are attaching hereto a report from Mr. B.G. Cousens, City Treasurer, concerning the Kingston Bus for the Handicapped.

It is noted that the purchase and equipping of the bus requested will not exceed $12,500.00. This may be a used or new bus depending on the prices received by the Director of Purchasing.

The City of Kingston will not be assuming any costs at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "H" to Report No. 106
(Page 2)

OCT 17 1979

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 17, 1979

TO: R.J. Hamilton,
Chief Administration Officer

FROM: B.G. Cousens,
City Treasurer

ORIGIN: Letter from Kingston Bus for the Handicapped.

ANALYSIS: Kingston Bus for the Handicapped wish to purchase a bus and take advantage of provincial subsidy for 50% of the cost. In order to obtain subsidy, it is necessary for the City to purchase and retain ownership of the bus, then lease it to the Kingston Bus for the Handicapped for $1.00 per year. They would cover the vehicle for insurance and be responsible for any deductible on the insurance.

The Province would pay 50% of the cost and the Kingston Bus for the Handicapped would assume the other 50% so that there would be no cost to the City.

ALTERNATIVE: Kingston Bus for the Handicapped would acquire a bus and assume the entire cost.

FINANCIAL CONSIDERATION: Kingston Bus for the Handicapped can purchase & equip a bus for 50% of the cost, if purchased through the City. Purchasing department is obtaining estimates to determine whether or not a new bus can be acquired rather than a used one for an equivalent or slightly higher sum of money.

RECOMMENDATION: That application be made to the Province of Ontario for approval of subsidy for the purchase and equipping of a bus for the handicapped at a cost not to exceed $12,500., it being understood that the Kingston Bus for the Handicapped will assume 50% of the cost and ownership of the bus will remain with the City. The bus will be leased to the Kingston Bus for the Handicapped naming the City as owner. Kingston Bus for the Handicapped will also be responsible for any deductible amount on the insurance coverage.

. . . . /2

Schedule "H" to Report No. 106
(Page 3)

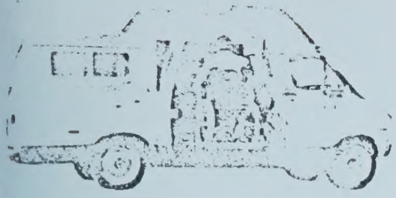
R. J. Hamilton, C.A.O. October 17, 1979

MMENDATION: Further, a by-law be presented to Council to authorize the execution of an agreement with the Kingston Bus for the Handicapped to implement the foregoing recommendation, and the following budget transfer be approved.

	Increase	Decrease
nce - Kingston Bus for the Handicapped	$12,500.	
nue		
bsidy Kingston Bus for the Handicapped		$6,250.
her Revenue - Kingston Bus for the Handicapped		6,250.

jt

Once the Provincial approval for subsidy is received, the Director of Purchasing be authorized to purchase a bus, subject to the approval of the Kingston Bus for the Handicapped on whether a new or used bus will be acquired, depending on the price received for a new bus.



KINGSTON BUS
FOR THE HANDICAPPED
P.O. Box 423
Kingston, Ontario
K7L 4W2

October 15, 1979

Mr. B. Cousins
Treasurer
City of Kingston
City Hall
Kingston, Ontario

Dear Mr. Cousins:

Re: Kingston Bus for the Handicapped

On reading over the new Provincial Legislation that creates the funding of Transportation for the Handicapped, it is our understanding that any capital expenditure, namely the purchasing of a new bus, must be done through the auspices of the city.

Right now we need to buy a bus to keep up with the daily demand upon our service as well as maintaining a mechanically trouble free schedule. I should explain to you that all our vehicle purchases have to be modified to meet our riders physical needs of access. We commence, therefore, by purchasing a basic vehicle then we work on getting it adapted. What we have in mind today is the purchase of a 1978 GMC Rally Van, series 25, TGL26845002 51, Engine V8 automatic with power steering and power brakes, auxiliary rear heater,

Mileage:	19,000
Price:	$ 6,800 excluding tax
Warranty:	100% 90 day commencing on the first day of road service
Licence:	E68168
Dealer:	Jack Blacklock, 531 Princess Street Representative: H. Moon.

After purchasing the vehicle will then need:

Raised roof	$1,500
Hydraulic Lift	2,000
Tie downs for wheel chairs	500
Seats for ambulatory passengers	250

The above quotes for alterations are directly from our last bus purchase in February 1979 so there may well be an increase in today's prices and again this is excluding tax.

.... 2

Schedule "H" to Report No. 106
(Page 5)

As a registered charitable organization we have always been able to claim a total sales tax refund on our vehicle purchases. However, with the change in the direction of funding we have no idea whether that could still be applicable, you see sir, it is our understanding that the purchase of a vehicle and the subsequent alteration would be made by the city. The Bus for the Handicapped would then lease the bus for the payment of 50% of the purchase and alteration cost plus $1.00 per year. The responsibility of insurance coverage and the Ministry of Transport Safety Standard Certification annually would be ours.

Naturally, you will appreciate we would like approval to obtain the vehicle as soon as possible.

Yours truly,

(Miss) J. Perry
On behalf of the President and
Board of Directors
Kingston Bus for the Handicapped

546-3811

R.B MCKEOWN 1-416-248-3785 MINISTRY

Schedule "I" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
FFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-2

October 17, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: NEWCOURT FIELDS SUBDIVISION

We are attaching hereto a report from Mr. D. Fluhrer, Commissioner of Parks & Recreation concerning the leasing of land from Newcourt Fields Subdivision for park purposes.

It is noted that the lease for this parcel of land will increase our park area in this subdivision by approximately 40% which will create a broader use of the said lands.

There is very little capital outlay required by the City at this time to use this area which is already graded, etc.

We recommend the City lease this site as set out by Mr. Fluhrer.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "I" to Report No. 106
(Page 2)

OCT 17 1979

MEMORANDUM

: R. J. Hamilton,
Chief Administrative Officer.

OM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

TE: October 17, 1979.

BJECT: LEASE OF PART LOTS - NEWCOURT FIELDS SUBDIVISION

GIN: Department of Parks & Recreation.

LYSIS: As per the attached sketch, the City approached Homestead Land Holdings Limited to see how the City could acquire a parcel of land which connects to a park. The reason for this was to enlarge the park area thus making it useable for a wider variety of field sports, such as soccer, touch football, softball, and at the same time, serve as a neighbourhood park. The present density of this area, coupled with the projected density, strongly suggests this to be a known need.

ERNATIVE: The alternative would be a field with a size less than desired.

ANCIAL
SIDERATIONS: The proposal from Homestead Land Holdings Limited is a dollar per year, as per their attached letter. Further to this, the City would waive the taxes applicable to this parcel of land. This would have an approximate cost effect of $452.49.

OMMENDATION: It is recommended that Council authorize the Chief Administrative Officer to enter into negotiations with Homestead Land Holdings Limited to proceed as outlined for the acquisition of this land by lease.

las R. Fluhrer,
issioner.

s
ch.

Schedule "I" to Report No. 106
(Page 3)

HOMESTEAD LAND HOLDINGS LIMITED
CONSTRUCTION OFFICE

BOX
80 JOHNSON STREET
KINGSTON, ONTARIO
TELEPHONE
546-1534

PARKS AND RECREATION
OCT 2 1979
REC'D.

September 26th, 1979

Parks Commissioner
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

ATTENTION: MR. D. FLUHRER

Dear Sir:

RE: NEWCOURT FIELDS PARK

This is in regard to your letter of last spring wherein you inquired whether we would be prepared to give the City access to the piece of property in Newcourt Fields, off 62 Old Oak Road, next to the property allotted as park to the City.

We are prepared to lease this piece, formerly known as Block "C", at $1.00 a year, for a term of three years. (See attached sketch). Renewals will be automatic annually thereafter.

Yours sincerely,

HOMESTEAD LAND HOLDINGS
LIMITED,

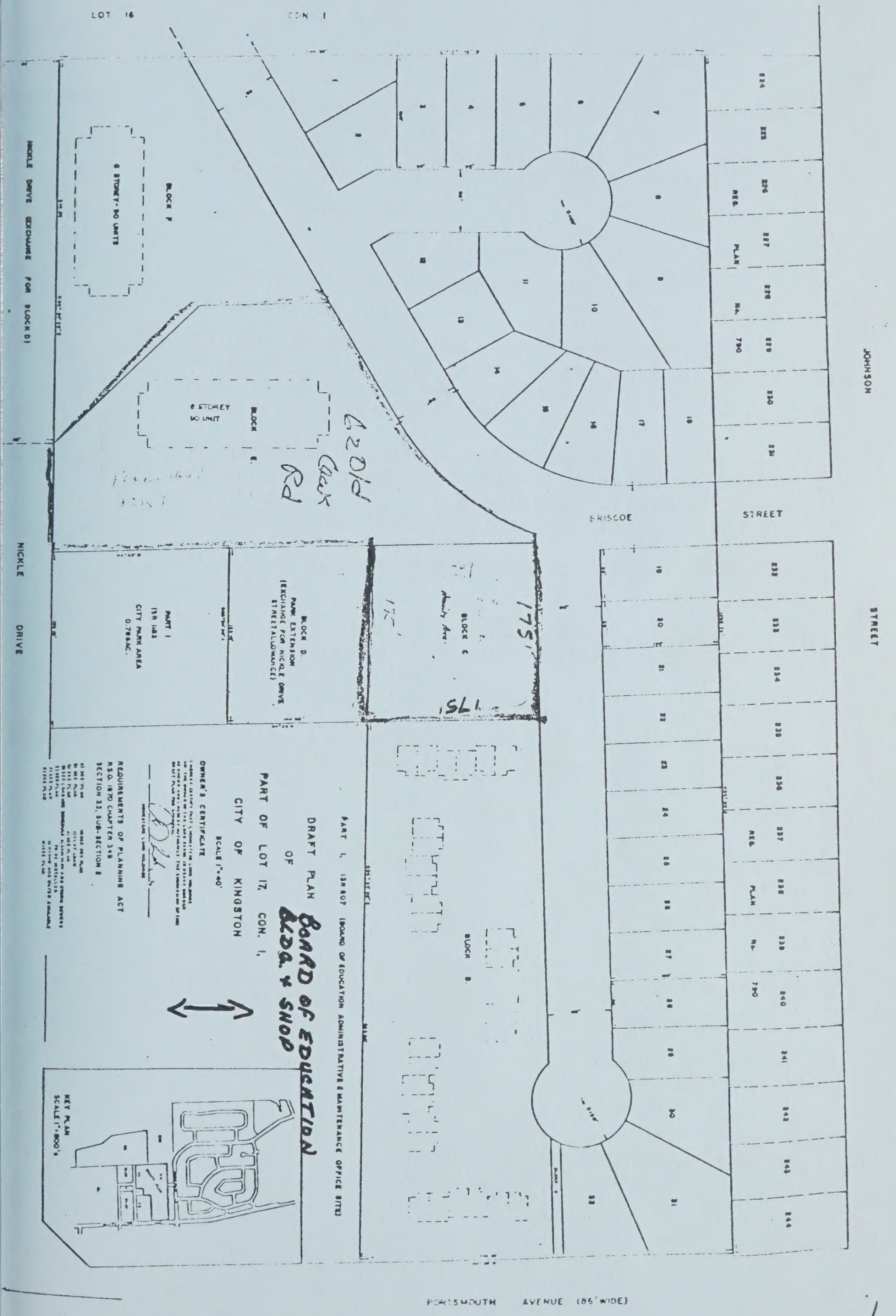
Per:

James C. Stewart

JCS*ch
enc.

Schedule "I" to Report No. 106
(Page 4)

075-150-?-0000-


LOT 16
CON. 1
JOHNSON STREET
BRISCOE STREET
NICKLE DRIVE
NICKLE DRIVE (EXCHANGE FOR BLOCK D)
PORTSMOUTH AVENUE (85' WIDE)
REG. PLAN No. 790
224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244
1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32
BLOCK F
6 STOREY- 90 UNITS
BLOCK E.
6 STOREY 90 UNIT
62 Old Clark Rd
BLOCK D.
PARK EXTENSION
(EXCHANGE FOR NICKLE DRIVE STREET ALLOWANCE)
PART 1
13R 1183
CITY PARK AREA
0.766AC.
BLOCK C
175'
175'
175'
175'
BLOCK B.
PART 1, 13R 807 (BOARD OF EDUCATION ADMINISTRATIVE & MAINTENANCE OFFICE SITE)
DRAFT PLAN OF
PART OF LOT 17, CON. 1,
CITY OF KINGSTON
BOARD OF EDUCATION BLDG. & SHOP
SCALE 1"=40'
OWNER'S CERTIFICATE
REQUIREMENTS OF PLANNING ACT
R.S.O. 1970 CHAPTER 349
SECTION 33, SUB-SECTION 2
KEY PLAN
SCALE 1"=800'

Schedule "J" to Report No. 106
(Page 1)

PORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

OM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

TE: October 18th, 1979.

BJECT Bus Stop Relocation - Kirkpatrick Street

IGIN Request from the Public Utilities Commission to relocate a bus stop on the north side of Kirkpatrick Street in the vicinity of Q.E.C.V.I. (letter and plan attached).

ALYSIS

1) Alderman Hawkins had suggested that the bus stop on Kirkpatrick Street immediately east of Q.E.C.V.I. driveway be relocated to improve visibility for motorists exiting from Q.E.C.V.I.

2) P.U.C. has no objections to relocating the bus stop.

3) Improved visibility and safety will result from relocating the bus stop further away from the Q.E.C.V.I. driveway.

COMMENDATION That a by-law be presented to Council to amend Section 10(b) (Bus Stops) of By-law 24 (Traffic) as follows:

Add:	Area
Kirkpatrick St. N/S in front of Q.E.C.V.I.	from 80 feet east of the entrance to parking lot at Q.E.C.V.I., easterly 80 ft.
Delete:	
Kirkpatrick St. N/S at west entrance to Q.E.C.V.I.	80 feet (By-law 4865-1965)

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "J" to Report No. 106
(Page 2)

COPY TO: MR. K. LINSEMAN
ADMINISTRATOR
TRAFFIC, STREETS AND PARKING DEPARTMENT

U.C.
ydro utility
INGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

P. ENG., GENERAL MANAGER
C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 10 09

Mr. R. Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Hamilton:

Re: Bus Stop Relocation

At the Regular Meeting of the Commission on 1979 10 04, the Commission approved the change in location of a Bus Stop on Kirkpatrick Street.

The enclosed drawing (2 copies) and the report from the Engineering Department shows the new location.

The Commission passed a Resolution requesting City Council to amend By-Law No. 24 (Traffic By-Law) by adding to Section (10B) (Bus Stops) the following:

Street or Intersection	Area
Kirkpatrick St. N/S in front of Q.E.C.V.I.	from 80 feet east of the entrance to Parking Lot at Q.E.C.V.I., easterly 80 feet

and delete from Section (10B) (Bus Stops) the following:

Street or Intersection	Area
Kirkpatrick St. N/S at West entrance to Q.E.C.V.I.	80 feet (By-Law No. 4865-1965)

Early approval for this stop would be appreciated to enable us to have it become effective as soon as possible.

Yours faithfully,

A. Bowie
Secretary Treasurer

AB:jm
Enclosures (2)

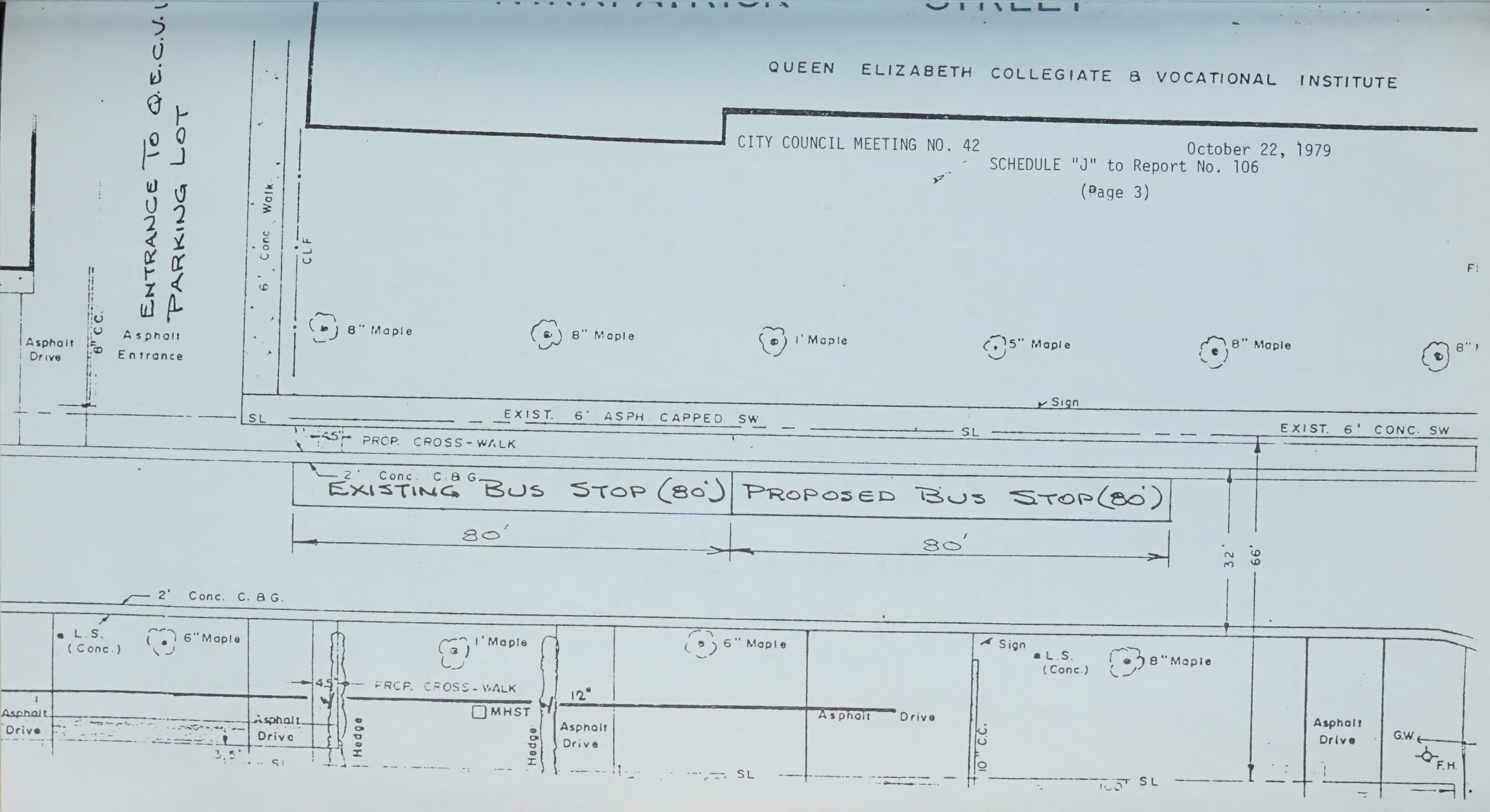
Copy to: Mr. K. Linseman
Administrator
Traffic, Streets and Parking Department

CITY COUNCIL MEETING NO. 42

October 22, 1979

SCHEDULE "J" to Report No. 106

(Page 3)


QUEEN ELIZABETH COLLEGIATE & VOCATIONAL INSTITUTE
ENTRANCE TO Q.E.C.V.I. PARKING LOT
Asphalt Drive
8" C.C.
Asphalt Entrance
6' Conc Walk
CLF
8" Maple
8" Maple
1' Maple
5" Maple
8" Maple
Sign
SL
EXIST. 6' ASPH CAPPED SW
SL
EXIST. 6' CONC. SW
4.5'
PROP. CROSS-WALK
2' Conc. C.& G.
EXISTING BUS STOP (80')
PROPOSED BUS STOP (80')
80'
80'
32'
66'
2' Conc. C.& G.
L.S. (Conc.)
6" Maple
1' Maple
6" Maple
Sign
L.S. (Conc.)
8" Maple
Asphalt Drive
Asphalt Drive
4.5'
PROP. CROSS-WALK
MHST
12"
Hedge
Hedge
Asphalt Drive
Asphalt Drive
10' C.C.
Asphalt Drive
G.W.
F.H.
3.5'
SL
SL
SL

Schedule "K" to Report No. 106
(Page 1)

EPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

ROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Administrator.

TE: October 18th, 1979.

BJECT Expropriation of the Canada Life Assurance, et al, Property on Queen Street - Springer Parking Lot

IGIN Traffic and Streets Department

ALYSIS 1) Section 16 of The Expropriations Act, R.S.O. 1970 chapter 154, states that, "where there are more separate interests than one in land the market value of each such interest shall be valued separately".

2) The City's appraiser, Mr. W. E. Webster, has recently completed an appraisal of each of the interests in the property owned by Canada Life Assurance Company, London Life Insurance Company and Mutual Life Assurance Company of Canada (report attached)*. In his report, Mr. Webster has appraised the interests of the owner and the two lessees as follows:

Canada Life, et al	$31,405.42
Loblaw Groceterias Co. Ltd.	12,094.58
G. Tamblyn Co. Ltd. (Boots)	Nil
	$43,500.00

3) Tamblyn's (Boots Drugs) to receive no compensation because they do not use the land other than as access to the rear door of their building. The City will continue to provide a right of way to the rear of the property across the parking lot. On December 6th, 1978 the Transportation Committee had agreed to delete the acquisition of the rear portion of the two-storey concrete block building as it is more practical to include renovation and modification of the building with the construction of the parking garage than to demolish the building.

4) Now that the interests of each of the parties have been appraised, it is in order to file an Expropriation Plan and to formally offer the appraised amount to each interest.

5) Each of the interests in the property has been requested to give their permission to enter the lands.

6) None of the owners or lessees has requested an inquiry hearing after due notice having been sent out and thirty days' notice having expired.

COMMENDATION That a by-law be presented to Council to authorize the expropriation of the vacant property of Canada Life, et al, on the south side of Queen Street between Montreal and Bagot Streets, described as Part of Lot 302, being required as part of the site for a parking lot and future parking garage.

bers of Council Only

k

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "L" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officier

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

October 19, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: AIRPORT - WASHROOM FACILITIES/OFFICE

We are forwarding herewith a report from Mr. W.D. Stevens, recommending the acceptance of the low tender of Parkington Homes Limited in the amount of $11,493.00 to supply a single self-contained modular unit to be installed at the Norman Rogers Airport.

Council will recall that we reported this matter on September 17th, 1979, whereby we recommended that we not accept the tender for construction of a washroom but rather we ask for tenders on a modular unit.

This matter was reviewed with Mr. Cousens who indicated that Mr. Stevens, at this time, has sufficient funds in his 1979 Budget to allow and cover this purchase.

We therefore recommend that Council authorize Administration to purchase this building to provide the necessary washrooms, office space, etc. as was previously indicated to Council.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries and Airport Administrator

DATE: October 19, 1979

SUBJECT: AIRPORT - Washroom Facilities/Office

ORIGIN:

The 1979 Airport Budget included an appropriation for construction of a washroom facility and, alternatively, an amount for the acquisition of the Hansler building. The Hansler building would provide the required washroom, office space for airport staff and additional leasable space to meet Customs and Immigration requirements.

During budget review, Council considered purchase of the Hansler building a more appropriate course of action and approved the amount of $8,500. for this purpose. Accordingly, the $6,000. allocation for the washroom facility was deleted from the budget.

ANALYSIS:

Negotiations for purchase of the Hansler building, as recommended by the Transportation Committee, were rejected by Mr. A. Smith, President, Hansler Smith Ltd. The building was dismantled and removed from the airport land in June, 1979.

A requisition dated June 12, 1979, was raised for the construction of a washroom in the north end lean-to of Hangar No. 4. Attached hereto as Schedule "A" is a copy of a memorandum dated August 2, 1979, from the Director of Purchasing with respect to Inquiry No. 79-54 for this project.

At a meeting of Council September 10, 1979, it was requested that the possibility of obtaining a prefabricated unit be explored with the Parkington Corporation. Subsequent to reporting confirmation of specifications and cost obtained from the Parkington Corporation, Council at its meeting held September 24, 1979, recommended that Purchasing obtain quotations for a modular unit from other suppliers. A summary of submissions received respecting Tender No. 79-41 for the supply of a modular portable office/washroom and recommendation by the Director of Purchasing is attached hereto as Schedule "B".

EXISTING POLICY:

The lowest tender is accepted, unless there is an economic advantage to do otherwise.

FINANCIAL CONSIDERATIONS:

The amount of $8,500. intended for purchase of the Hansler building represents approximately 75% of the cost. There are sufficient funds in the Airport Building Maintenance account to allow completion of the project.

RECOMMENDATIONS:

In view of the urgent need to meet the minimum requirements of the Ontario Ministry of Labour Industrial Safety Act, it is recommended that the tender received from Parkington Homes Limited to supply a single self-contained modular unit to be installed at the Norman Rogers Airport in the amount of $11,493.00, be accepted, being the lowest tender received;

R. J. Hamilton, C.A.O. October 19, 1979

SUBJECT: AIRPORT - Washroom Facilities continued

RECOMMENDATIONS: and

that the amount of $8,500. allocated in the 1979 Airport Budget, Acct. 4585, for the purchase of the Hansler building be allocated for this purpose;

and further

that the following budget transfer be approved:

	Increase	Decrease
AIRPORT Contributions from Revenue Fund, Acct. 4585		$8,500.00
Building Maintenance, Acct. 4552	$8,500.00.	

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

Attachments

Schedule "L" to Report No. 106
(Page 4)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
irector of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. W. D. Stevens, Airport Administrator

FROM: Mr. M. J. Ewart, Director of Purchasing

DATE: August 2, 1979

SUBJECT: Inquiry No. 79-54 - Washroom/Hangar No. 4

The undernoted amounts represent the lowest bids received in response to the subject Inquiry, which was circulated to some sixteen local contractors and which enjoyed a fifty per cent response.

*NORTH CONSTRUCTION Alt. B - * $9,176.00 with holding tank*
*Alt. A - * $8,776.00 with septic system*

*(*Incidental to either installation will be the added costs for rock excavation @$100.00 per cubic yard and $4.00 per cubic yard (in place) for any new cover soil for tile bed. These intangible factors could conceivably add 15 - 25% respectively to each of the above amounts.)*

If there are adequate funds available I will proceed to obtain authorization for acceptance pursuant By-Law No. 1.

However, you may wish to present this directly in support of your application for budgetary transfer.

The Company in mention reportedly enjoys a very favourable record of contractual performance.

Bids range from $8,776.00 to $17,778.00 in a profile of eight submissions.

Yours very truly,

Ewart

M. J. Ewart, Director of Purchasing.

MJE/jg

MODULAR PORTABLE OFFICE/WASHROOM

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 27

DATE OF CALLING: October 4, 1979
DATE OF CLOSING: October 18, 1979
NO. OF TENDERS RECEIVED: 5

QTY.	DESCRIPTION	PARKINGTON HOMES LIMITED	CDS OFFICE RENTALS	RICHARD'S HOME IMPROVEMENTS	MILLER MOBILE HOMES	RUSTON TRAILER LEASING
1	SUPPLY AND INSTALL ONE SINGLE MODULAR PORTABLE OFFICE/WASHROOM	$11,493.00	13,900.00	14,930.34	13,400.00	14,910.00
	FEDERAL SALES TAX	Included	Included	Included	Included	Included
	PROVINCIAL SALES TAX	Exempt	Exempt	Exempt	Exempt	Exempt
	TOTAL DELIVERED AND INSTALLED	11,493.00	13,900.00	14,930.34	13,400.00	14,910.00

REMARKS

The foregoing tabulation is a summary of all tenders received in response to the subject tender for the supply and site installation of a modular portable office/washroom facility at Norman Rogers Airport.

RECOMMENDATION

It is recommended for consideration that the tender of PARKINGTON HOMES (KINGSTON) LIMITED for the supplying of a modular office/washroom, in the amount of $11,493.00, T.E.P. (INSTALLED) be accepted being the lowest tender received in accordance with Tender No. 79-41.

Respectfully submitted,

M. J. Ewart, Director of Purchasing.

MJE/jg

Rec'd
19/10/79

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linesman, Administrator,
Traffic, Streets and Parking Administrator.

DATE: October 18, 1979.

SUBJECT Access to Tait Property - north side of Bath Road, west of Armstrong Road

ORIGIN Kingston Township

ANALYSIS

1) Kingston Township resolution restricts the severed property (Foodcorp Ltd.) to one access, but no mention is made of the parcel of land retained by Mr. Tait between the severed property and Frontenac Mall.

2) In order to have assurance that no more than one access will be permitted for the total site, a letter was requested from Mr. Tait to confirm that access from the retained property would be via right of way across the severed property to Bath Road (letter from Mr. Tait attached).

3) The access was relocated a sufficient distance from Armstrong Road to permit adequate deceleration maneuveuring. The Township was advised that a triangular island should be installed in order to physically prevent any left hand turns, in accordance with the Traffic Department standards.

4) The Township Public Works Department submitted a plan prepared by Foodcorp Ltd. showing an inadequate deceleration lane. The Township was advised that the 75-foot deceleration lane was inadequate and that an additional 12-foot lane must be provided between the entrance and Armstrong Road.

5) Access will also be provided to Armstrong Road, which is located opposite a median opening, which will permit left hand turns entering and exiting from the site, in addition to the right hand turns in and out.

6) As a result of a previous severance, the conditions for the severance by the Frontenac County Land Division Committee were as follows:

   a) That the property owner deed a 10-foot strip across the front of the property (deed already provided.)

   b) That one access only be permitted on Bath Road with right hand turns in and out only.

   c) That the developer be responsible for constructing a sidewalk at his expense.

7) A problem developed regarding the installation of a sidewalk, due to the wide ditch in front of the property. The property owner has agreed the southerly five feet of the 20-foot Township easement immediately north of Bath Road could be used to construct a public sidewalk which is to be maintained by the Township (letter attached).

RECOMMENDATION

1) That the Township be advised,

   a) that one access will be permitted on Bath Road for the entire site location between Armstrong Road and Frontenac Mall,

   b) that the entrance be provided with a deceleration lane twelve feet wide from Armstrong Road to the entrance,

   c) that the developer will be responsible for obtaining an easement for a City sidewalk, to be constructed at the expense of the developer,

   d) that the Township will be responsible for maintaining the sidewalk.

RECOMMENDATION (cont'd)

2) That a by-law be passed to authorize an agreement with Terence J. Tait regarding the following City conditions set out by the Frontenac County Land Division Committee.

   a) That the property owner deed a 10-foot strip across the front of the property (deed already provided).

   b) That one access only be permitted on Bath Road with right hand turns in and out only.

   c) That the developer be responsible for constructing a sidewalk at his expense.

K. G. Linseman

vn

K.G. Linseman, P. Eng., M.Sc.,
Administrator

TELEPHONE 613-389-1804

TAIT & KAMINER
BARRISTERS & SOLICITORS

NCE J. TAIT, LL.B.
DA J. KAMINER, B.A., M.A., LL.B.

NORTHERN & CENTRAL GAS BUILDING,
520 GARDINERS ROAD,
KINGSTON, ONTARIO
K7M 3X9

DELIVERED BY HAND

October 16th, 1979.

Corporation of The City of Kingston,
City Hall,
Ontario Street,
Kingston, Ontario.

Attention: Ken Linseman, Esq.

Re: Bayou West - Bath Road

Dear Sir:

This will confirm our telephone conversation wherein I advised that neither I or Foodcorp have any objection to the sidewalk being located on the Southerly 5 feet of the 20 foot water and sewer easement. This will also confirm that the Township of Kingston has no objection to its location there also.

The sidewalk will be built at my expense in accordance with the Site Plan Agreement already executed by me and which is in your hands and the Township of Kingston will be responsible for maintaining it.

Yours very truly,

Terence J. Tait

TJT*s

Schedule "M" to Report No. 106
(Page 4)

TELEPHONE 613-389-1804

TAIT & KAMINER
BARRISTERS & SOLICITORS

CE J. TAIT, LL.B.
A J. KAMINER, B.A., M.A., LL.B.

NORTHERN & CENTRAL GAS BUILDING,
520 GARDINERS ROAD,
KINGSTON, ONTARIO
K7M 3X9

TO BE DELIVERED September 13th, 1979

The Corporation of the
City of Kingston,
City Hall,
KINGSTON, Ontario

ATTENTION: Mr. Ken Linseman
Traffic Administrator

RE: Bath Road project
- Tait

Dear Sir:

Further to our recent telephone conversation, I am enclosing a copy of the Preliminary Print done by Smith & Smith which sets out in detail how the Bath Road frontage is being severed into three parts. The Liquor Control Board owns Part 7 and 8 on Plan 13R-3784. The FoodCorp Ltd. will own Parts 4,5,6,7,8 and 9 as shown on the attached plan, while I will retain ownership of Parts 1,2 and 3.

It is agreed by me that there will be only one entrance/exit on the Bath Road and it is shown on the attached plan as being located in the area of Part 4. There is also an entrance off the Armstrong Road which is shown as Part 5 on Plan 13R-3784. This entrance will be the major entrance to the plaza as all of the eastbound traffic will use it and probably most of the westbound traffic will use it.

I am also pleased to enclose the Agreement between myself and the City dated September 21st,1978 duly executed by myself. Mr. Jackson sent me this Agreement on September 21st,1978 at which time I phoned and advised him that I would hold this Agreement until such time as I concluded my plans for the development of the whole of the property.

For purposes of clarification, it should be noted that I will retain rights-of-way over Parts 5 and 8 on Plan 13R-3784 and also Parts 4,7 and 9 on the attached plan. Thus there will be two entrances and exits to my property off the Armstrong Road and one entrance/exit off the Bath Road. In other words, my property is not landlocked.

/...2

Page 2

I am also enclosing FoodCorp Ltd.'s recent Site Plan which incorporates the requirements of the Township of Kingston with respect to both the location and design of the entrance/exit on the Bath Road. I would appreciate your comments.

Yours very truly,

TAIT & KAMINER

PER:

TERENCE J. TAIT

TJT/jap
Encl.

COMMITTEE OF THE WHOLE (Cont'd).

(B) That Council Rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted and confirmed.

MOTIONS

NOTICE OF MOTION

Moved by Ald. Webb
Seconded by Ald. Timmins

That the Better Business Bureau be contacted through their central registry with a request to establish an office in the City of Kingston.

(Referred to Regular Meeting of Council Scheduled for October 22, 1979.)

BY-LAWS

(A) That By-Laws 1 to 6 and 9 be given their First and Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Laws 2 to 6 their Third Reading.

(C) That By-Laws 2 to 8 be given their Third Reading.

(1) A By-Law to Authorize the Execution of an Agreement with Terence J. Tait (Access and Sidewalk North of Bath Road West of Little Cataraqui Creek)

FIRST AND SECOND READINGS PROPOSED NO. 79-241
Clause 14, Report No. 106, 1979.

(2) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours " (Amend Penalty Clause, Amendments to Rotation Schedules)

THREE READINGS PROPOSED NO. 79-242
Clause 1 and 2, Report No. 104, 1979.

(3) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Street Closures for Short Duration Delegated to the Mayor)

THREE READINGS PROPOSED NO. 79-243
Clause 9, Report No. 100, 1979.

(4) A By-Law to Authorize the Expropriation of Property on the South Side of Queen Street between Montreal and Bagot Streets (Part of Lot 302) (Portion of Parking Lot)

THREE READINGS PROPOSED NO. 79-244
Clause 12, Report No. 106, 1979.

BY-LAWS (cont'd).

(5) A By-Law to Authorize the Execution of An Agreement with Bob Martin Construction Co. Ltd. and Robert Bennett Martin In Trust (Sewer Connection: West Side of Queen Mary Road North of Bath Road)

(THREE READINGS) (PROPOSED NO. 79-245)
(By-Law No. 14)

(6) A By-Law to Confirm the Proceedings of Council at its meeting held on October 22, 1979.

(THREE READINGS) (PROPOSED NO. 79-246)
City Council Meeting No. 42, 1979.

(7) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Revise Exceptions in Zone A.165 (One and Two Family) Residential for 119 Barrack Street).

THIRD READING (Proposed No. 79-234)
Clause 2, Report No. 102, 1979

(8) A By-Law to Amend the Official Plan of the City of Kingston Planning Area. (Amendment No. 3: Conveyance of Land for Park Purposes).

THIRD READING (Proposed No. 79-235)
Clause 3, Report No. 102, 1979

(9) A By-Law to Authorize the Execution of an Agreement with Kingston Bus for the Handicapped (Purchase of Bus)

FIRST AND SECOND READINGS Proposed No. 79-247
Clause 9, Report No. 106

UNFINISHED BUSINESS

ADJOURNMENT

'S UNIVERSITY LIBRARY
CUMENTS DEPARTMENT
NOV - 6 1979

CITY COUNCIL MEETING NO. 42

The Regular Meeting of City Council was held on Monday, October 22nd 1979, commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:05 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

CARRIED

(Council Chamber)

(B) Moved by Ald. Gorham,
Seconded by Ald. Timmins,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

* * *

Mayor Keyes reported that the following motion was passed in the Committee of the Whole "In Camera":

Moved by Ald. Gorham,
Seconded by Ald. Timmins,

That the agreement with the Ontario Nurses' Association for the period of January 1, 1979 to December 31, 1979, as recommended by the Arbitration Award, be approved and the signing of the agreement by the Mayor and City Clerk be ratified and confirmed.

- and further -

That the agreement be amended in accordance with the memorandum of agreement dated October 3, 1979 which has the effect of deleting Articles 10:01 and 10:04 of the collective agreement dated July 10, 1979 and substituting revised Articles 10:01 and 10:04,

- and further -

That the Mayor and City Clerk be authorized to sign said amending agreement.

CARRIED

* * *

EPORT OF THE COMMITTEE OF THE WHOLE

) Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

CITY COUNCIL MEETING NO. 42 October 22, 1979

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller Ald. Tarnowecky, Ald. Timmins, Ald. Webb (14)

MINUTES

Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the Minutes of Meeting No. 39 held on October 9, 1979 and Meeting No. held on October 15, 1979, be confirmed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 624 to 629.

Referred to the Chief Administrative Officer

(612) From the Provincial Secretary of Social Development concerning grou homes and forwarding a Status Report on each of the recommendations contained in the group home report forwarded to the City last September and advising that they will be sending descriptions of th full range of provincial programs which cover group homes.

In order to encourage municipalities to make appropriate amendments to their official plans and zoning bylaws to permit group homes in all residential neighbourhoods, a copy of the proposed planning guidelines was also forwarded with the request that it be reviewed and any comments sent to the Provincial Secretary by the end of November.

File No. 20-5.3 and 25-2

Filed

(613) Copy of a letter to Mr. W.R. Pringle, Holiday Inn, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Pringle's application for additional dining lounge facilities to dining lounge No. 10 on the sixth floor, no capacity.

File No. 12-6

Referred to the Planning Board

(614) Copy of a letter to Mr. Peter J. Radley, Radley, McNeely, Barristers and Solicitors, from the Ministry of Housing concerning Proposed Amendment No. 95 to the Official Plan for the City of Kingston, Bennett's Foods Limited, advising of the following:

(1) On October 24, 1978 the City of Kingston advised the Ministry that Section 12 of the Planning Act had been complied with and enclosed with that letter the minutes of the Planning Board Meeting of March 21, 1978, and advising that the meeting had been advertised by the Association of Women Electors.

(2) Subsequent to the amendment being approved, the Ministry received a letter from the Association of Women Electors of Kingston Area expressing concern about the City's use of their advertisement on March 20, 1978 to satisfy the requirements of the Planning Act.

COMMUNICATIONS (Cont'd)

(614) (Cont'd)

(3) The question of what constitutes satisfactory compliance with Section 12 of the Planning Act was discussed with the Ministry's legal counsel.

(4) The legal counsel advised that since the Ministry had been informed by the City that Section 12 of the Planning Act had been complied with, and since the Ministry had no formal objections to the amendment, on file, there was no reason to withold approval of the amendment.

File No. 16-1.1-95

Referred to the City Treasurer

(615) Statement from the Hon. Thomas L. Wells, Minister of Intergovernmental Affairs, on the subject of Implementation of New Equalization Factors for Municipal Purposes.

(Note: Copy of this statement has been distributed with the Agenda to all members of Council)

File No. 1-3

Filed

(616) From the City Hall Staff Association advising of the City Hall's Christmas Party to be held on December 8, 1979 at the Holiday Inn and inviting members of Council and their escorts to attend.

(Note: Copy of invitation has been distributed with the Agenda to all members of Council)

File No. 5-3.8

(617) From Simpsons-Sears Limited inviting all members of Kingston City Council to attend their Open House for the Handicapped to be held on November 17, 1979 between the hours of 6:30 p.m. and 9:00 p.m.

File No. 3-6

(618) From the Hon. Lorne Maeck, Minister of Revenue, Ontario, acknowledging receipt of Council's resolution (R. 92(3) 79):

> *"That the City of Kingston request a study of market value 1975 by Provincial Assessment Officials to determine the feasibility of implementing equalized assessment in the City of Kingston. It is expected that there will be no financial obligation by the City and the Council can in turn study the results before making any decision to proceed further."*

and notice of the possibility of Council requesting that the aforementioned study be expanded to include a study of the feasibility of all equalized assessments being undertaken as a condition of sale of a property *(note: this possibility was NOT approved by Council on September 24, 1979, when R. 96(15) 79 was LOST)* and notifying:

(1) That Mr. W.J. Lettner, Director of Field Operations of the Assessment Division has been requested to conduct a study in preparation for the possibile return of a revised assessment Roll for taxation in 1981;

COMMUNICATIONS (Cont'd)

(618) (Cont'd)

(2) As soon as information is available a meeting will be arranged to allow Council to become fully aware of the effects of Section 86 of The Assessment Act on the City's assessment base; and

(3) That the additional study *(now not approved by Council)* cannot be undertaken by the Assessment Division since current legislation does not permit the adjustment of assessments solely under the circumstances proposed in the Notice of Motion.

File No. 1-3.2

Which Had Been Referred to the Chief Administrative Officer

(619) From Mr. Keith Hewson on behalf of the Parr Christie Singers requesting a grant from the City of Kingston in the amount of $300.00 as a contribution towards the purchase of new apparel (blazers, slacks, skirts) for the Singers. Mr. Hewson advises that the Group has obtained a Wint Grant under the condition that they match the amount from their own resources, part of which has already been raised, and the rest through projects being planned for the future.

File No. 7-3

Referred to the Parks & Recreation Commissioner

(620) From Caroline Gartenburg on behalf of the Kingston Rideau Trail Club requesting support from the City to have McKibbin Park retained as passive recreational land rather than be sold to the Conservation Authority.

File No. 17-3

Filed

(621) From the Hon. Keith C. Norton thanking the City for the copy of its letter of October 10, 1979, concerning the City of Guelph's resolution regarding renumeration paid to members of Council serving on Boards, which City Council did not endorse. (R. 101 (2) 79)

File No. 19-7

Which Had Been Referred to Mayor Keyes

(622) From the Secretariat for Social Development notifying the City that the first Ontario Career Week will be observed October 29th through November 4th, 1979. This event is designed to focus on career education through the province and to lend direction to dialogue on this topic. The City is being requested to endorse this initiative.

File No. 17-9

COMMUNICATIONS (Cont'd)

Filed

(623) From Mrs. Moira C. Cartwright, Chief Librarian of the Kingston Public Library, thanking the City for notification of the budget transfer of $10,000 from finance contingencies to the Library.

At its meeting of October 16th the Library Board approved a resolution of appreciation to City Council for the reception of their delegation on September 24th and the additional funding which was approved at the subsequent meeting on October 1st. Mrs. Cartwright also advises that the Board will attempt to follow the suggestions made in Schedule "L" to Report No. 100 of City Council.

File No. 17-10

(624) From the family of the late Edmund R. Milne thanking the City for its kind expression of sympathy.

File No. 3-6

(625) From the Cataraqui Region Conservation Authority notifying of a hearing of their Executive Committee on October 24, 1979 at 7:30 p.m. in the Board Room of the Authority office in the matter of an application by John L. Smith dated August 31, 1979 to place or dump fill on part Lots 15 and 16, Concession II, City of Kingston and part Lots 14 and 15, Concession II, Township of Kingston.

File No. 12-8.4

Referred to the City Treasurer

(626) From the Township of West Carleton, Kinburn, Ontario, requesting that the City of Kingston support the Township's resolution concerning the 1980 Equalization Factors and urging the City of Kingston to submit a copy of its resolution to the Hon. Lorne Maeck, Minister of Revenue, the local M.L.A. and the Association of Municipalities of Ontario. Also, if the City wishes to appeal the factors that affect the municipality to submit such appeal to the Ontario Municipal Board by November 1, 1979.

> *"Whereas the 1980 Equalization Factors are proving to be the cause of increased Regional, County and Boards of Education levies on the majority of municipalities in the Province of Ontario, resulting in estimated increases of up to 100% in some local taxes."*

File No. 1-3

Referred to the Traffic, Streets & Parking Administrator, the Chamber of Commerce and the Tourist Bureau

(627) From the St. Lawrence Parks Commission advising that their organization is interested in exploring the possibilities of having some type of special signing for Old Fort Henry on major Kingston streets to better assist visitors entering the City.

File No. 21-5

COMMUNICATIONS (Cont'd)

Referred to the Traffic, Streets & Parking Administrator

(628) From the Town of Dunnville requesting that the City endorse their resolution which reads as follows:

" THAT WHEREAS each year in the Province of Ontario many serious accident occur at unprotected railway crossings, often resulting in serious injuries, maiming, and causing deaths;

WHEREAS no regulations exist for the installation of automatic signal d

WHEREAS provisions of such devices are a permanent financial burden on municipalities;

BE IT THEREFORE RESOLVED that the Town of Dunnville supports the need f regulations governing the installation of automatic signal devices at railway crossings, and further updating of the present Cost Sharing For

WHEREAS the following is suggested:

1. Automatic Protection Signals shall be provided at all railway crossings prior to exceeding an exposure factor of 500 AADT*.
2. The cost of each installation of Automatic Signal Devices shall be shared equitably between the Municipality, the M.T.C., the Railway Crossing Fund and the Railway Corporations.
3. The Cost of Maintenance of Automatic Signal Devices shall be equitably shared between the Railway Grade Crossing Fund and the Railway Corporations."

*As calculated by the average number of trains, multiplied times the average number of motor vehicles crossing the rail tracks each day.

File No. 6-2.3

Filed

(629) From the Public Utilities Commission advising that at their meetin on October 16, 1979, Commissioner E.J. Blaney and Mr. W.J. Fisher, Energy Co-ordinator were appointed to attend the seminar on Energy Management in Ottawa on November 1, 1979.

File No. 5-1

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole and the Chairman report

CARRIED

The Chairman reported that the following reports were considered in the Committee of the Whole:

REPORTS

Ald. Webb presented Report No. 104 of the Gasoline Advisory Committee.

Moved by Ald. Webb,
Seconded by Ald. Gerretsen,

That Report No. 104 of the Gasoline Advisory Committee be received and adopted, clause by clause.

REPORT NO. 104

To the Mayor and Aldermen: October 16th, 1979.

The Gasoline Advisory Committee reports and recommends as follows:

1. That Section 6 of By-law 1998, a by-law to require the closing of gasoline service stations during certain hours, be deleted and the following substituted therefor:

   6. Every person who contravenes any of the provisions of this by-law is guilty of an offence and shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or Justice of the Peace acting within his territorial jurisdiction, a penalty of not less then $50.00 or more than $1,000.00 for a first offence and not less than $100.00 or more than $1,000.00 for a second or subsequent offence, exclusive of costs, and every such fine is recoverable under The Summary Convictions Act. Upon a conviction being entered, the Court in which the conviction was entered and any Court of competent jurisdiction thereafter may, in addition to any other remedy and to any penalty imposed in this by-law, make an Order prohibiting the continuation or repetition of the offence by the person convicted.

   NOTE: The proposed amendment provides an escalating penalty on second and subsequent convictions. Section 6 presently reads as follows:

   Every person who contravenes any of the provisions of this by-law shall, upon conviction thereof, forfeit and pay, at the discretion of the convicting Provincial Judge or a Justice of the Peace acting within his territorial jurisdiction, a penalty not exceeding (exclusive of costs) the sum of $50.00 for each offence.

See By-Law 2: No. 79-242)

CARRIED

REPORTS (Cont'd)

Report No. 104 - Gasoline Advisory Committee (Cont'd)

2. That the following amendments be made to the Extended Hours Rotation Schedule for the period July 1st, 1979 to June 28t 1980:

Series "A" - Delete "Edward's Drive Ur Self (Kingston) Ltd. 601 Princess Street".
NOTE: This business no longer exists as a gasoline outlet.

Series "C" - Delete "Lorne Whitaker's Wash" and substitute "Lorne Whitaker's Beaver Station" (77 Concessi St.) therefor.

Delete "Bob Moon's Car Wash" and substitute "B.P. Car Wash" (834 Princess St.) therefor.

Series "E" - Delete "B.P. Service Station" and substitute "B.P. Self Serve" (1129 Princess St.) therefor

(See By-Law 2: 79-242)

CARRIED

Respectfully submitted,

(Signed) *George Webb* (Chairman)

* * *

Ald. Timmins presented Report No. 105 of the City of Kingston Planning Board

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 105 of the City of Kingston Planning Board be received and adopted.

REPORT NO. 105

October 16, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That, as recommended by the Development Control Committee, the following plans submitted by Bell Canada in fulfillment of a condition of the development control agreement be approved:

Dwg. 1-a - Proposed Landscaping Plan - Scale-1:200
- Date July, 1979.

CARRIED

Respectfully submitted,

(Signed) *Grant Timmins* (Chairman)
Ken Keyes
John Clements
Lois E. Miller

* * *

REPORTS (Cont'd)

Report No. 106 - Chief Administrative Officer

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Report No. 106 of the Chief Administrative Officer be received and considered.

REPORT NO. 106

October 22, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

That, as recommended by Mayor Keyes, to implement the initiative of the Youth Secretariat of the Ontario Secretariat for Social Development to focus on career education throughout Ontario and to lend direction to dialogue on this topic, the week of October 29th to November 4th 1979, be proclaimed *"Ontario Career Week"* in the City of Kingston - and further -

That the Mayor be authorized to publish a proclamation in the Whig-Standard.

CARRIED

That, as recommended by the Residency Appeal Committee, the City of Kingston negotiate agreements with neighbouring townships to pay the municipal share of housing subsidy for residents of their municipalities who apply for housing and are housed by Kingston Housing Authority.

(Note: A copy of the report of the Chief Administrative Officer is attached as Schedule "A", 3 Pages.)

CARRIED

That, as recommended by the Commissioner of Parks and Recreation, the following accounts of J. D. Lee Engineering being progress payments to this firm for their engineering services in connection with the renovations to the Elmer Youth Centre be approved for payment it being noted that there are sufficient funds in the W.I.P. - Renovations - Elmer Youth Centre - for this purpose:

i) Invoice No. 357, July 31/79 -	$1,588.09
ii) Invoice No. 491, Sept.28/79 -	2,330.91
	$3,919.00

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 1 Page.)

CARRIED

REPORTS (Cont'd)

Report No. 106 - Chief Administrative Officer

4. That, as recommended by the Commissioner of Parks and Recreation, the City enter into a lease with the Canadian Hearing Society for 636 square feet of floor space, situated on Bagot Street, in the City of Kingston in part of the building known as the Recreation Centre, City Park at a rental of $795.00 per year and the Mayor and City Clerk be authorized to sign said lease.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "C", 7 Pages.)

CARRIED

5. That, as recommended by the City Treasurer, the following budget transfers be approved:

EXPENDITURES	INCREASE	DECREASE
Finance - Salaries - Supplementary Pension	$18,866.	
(Supplementary Pension added cost for Local 141 & Non-Union approved by City Council)	4,872.	
Finance Travelling	2,000.	
Finance - Interest on Temporary Borrowing	18,000.	
Finance - Discount on Tax Pre-payment Certificates	1,263.	
	$45,001.	
REVENUE		
Other Taxation Bell Telephone & C.N.R.		$ 13,240.
General Support Grant		1,289.
Sale of Property		66,005.
Resource Equalization Grant	$19,001.	
Community Centres Grant	18,257.	
Student Involvement Grant	2,277.	
Interest on Investments	43,000.	
Penalty & Interest on Taxes	43,000.	
	$125,535.	$ 80,534.

(Note: A copy of the report of the City Treasurer is attached hereto as Schedule "D", 2 Pages).

CARRIED

REPORTS (Cont'd)

Report No. 106 - Chief Administrative Officer

6. That, as recommended by the Director of Purchasing, Tender No. 79-35 for Fire Department Clothing be awarded, in part, as follows:

ITEM 1 - 39 Three Piece Uniforms	-	L. Kiwak (Kingston) $6,168.00 T.I.P. delivered.
ITEM 2 - 3A, 3B, & 4 - Caps	-	Stokes Cap & Regalia $480.80 T.I.P. delivered.
ITEMS 5A, 5B, 6A, 6B & 7 - Shirts and Ties	-	Continental Shirt - $3,567.25 T.I.P. delivered.
ITEM 8 - Parkas	-	Outdoor Outfits - $1,143.56 T.I.P. delivered.

being the lowest tenders received.

(Note: A copy of the Tabulation of Tender No. 79-35 is attached hereto as Schedule "E", 3 Pages.)

CARRIED

7. That the Council of The Corporation of the City of Kingston approves the three events,as follows, being presented by The Canadian & United Kingdom Club at the Steelworkers' Hall as a Community Festival, being of community benefit:

Event 1

November 10, 1979 - British Fun Night (Informal Social and Dance gathering. Some Professional comedy acts, food and amateur entertainment.)

Event 2

February 16, 1980 - Fish and Chip Night (Traditional Food, entertainment and dancing.)

Event 3

April 19, 1980 - Toronto Night. (in collaboration with the Canadian Amateur Ballroom Dancers Association, Toronto, demonstrations of the Modern Waltz, Quickstep and Latin American categories.).

(Note: The Club has been in operation for 11 years. The Club is a member of the Folk Arts Council and puts on volunteer entertainment for senior citizens.

Endorsation of Council is requested in order to obtain a liquor licence.

See copy of letter from the Canadian United Kingdom Dance Club attached hereto as Schedule "F", 1 Page.)

CARRIED

Report No. 106 - Chief Administrative Officer

8. WHEREAS By-Law No. 8820, "A By-Law to Provide for Land for Park Purpo Pursuant to Section 35(b) of The Planning Act" provides that the Building Inspection Department shall not issue any building permit for the construction of, alteration of or addition to any building or part thereof containing or designed to contain three or more dwelling units unless the applicant conveys to the City either land in an amount equal to 5% of the land for which the subject permit applies or cash in lieu of such land which is equal in value to 5%;

AND WHEREAS application has been received for the issuance of a building permit to convert the building at 176 Nelson Street which consists of a building containing three dwelling units and a former store into a fourth dwelling unit;

AND WHEREAS By-Law No. 8820 lays down a procedure which is no longer applicable since there is no longer a Parks and Recreation Committee, and the Director of Planning and Urban Renewal proposes to recommend a revised procedure to the Planning Board;

THEREFORE BE IT RESOLVED that as recommended by the Director of Planning and Urban Renewal and the Commissioner of Parks and Recreatio the City accept cash in lieu of land inasmuch as the lot is very small i.e. 30 ft. x 117 ft. and is occupied for the greater part by the existing building.

(Note: A copy of the report of the Chief Administrative Officer and the Director of Planning and Urban Renewal is attached as Schedule "G", 2 Pages.)

CARRIED

9. That, as recommended by the City Treasurer, application be made to the Province of Ontario for approval of subsidy for the purchase and equipping of a bus for the handicapped at a cost not to exceed $12,500., it being understood that the Kingston Bus for the Handicapped will assume 50% of the cost and ownership of the bus will remain with the City; the bus will be leased to the Kingston Bus for the Handicapped naming the City as owner and Kingston Bus for the Handicapped will also be responsible for any deductible amount on the insurance coverage;

and further -

That a by-law be presented to Council to authorize the execution of an agreement with the Kingston Bus for the Handicapped to implement the foregoing recommendation, and the following budget transfer be approved:

	INCREASE	DECREASE
Finance - Kingston Bus for the Handicapped	$12,500.	
Revenue - Subsidy Kingston Bus for the Handicapped		$6,250.
Other Revenue - Kingston Bus for the Handicapped		$6,250.

- and further -

REPORTS (Cont'd)

Report No. 106 - Chief Administrative Officer

9. (Cont'd)

that the Mayor and City Clerk be authorized to sign the lease agreement with the Kingston Bus for the Handicapped.
- and further -

Once the Provincial approval for subsidy is received, the Director of Purchasing be authorized to purchase a bus, subject to the approval of the Kingston Bus for the Handicapped on whether a new or used bus will be acquired, depending on the price received for a new bus.

(A copy of the report of the City Treasurer and the Chief Administrative Officer is attached as Schedule "H", 5 Pages.)

(See By-Law 9: No. 79-247)

CARRIED

Ald. Clements withdrew at 9:05 p.m.

10. That, as recommended by the Commissioner of Parks and Recreation and the Chief Administrative Officer, a lease be entered into with Homestead Land Holdings Limited for a piece of property known as Block "C", Newcourt Fields Subdivision for park purposes on the following conditions:

a) The lease will be for $1.00 a year for a term of three years.

b) The City would waive the taxes applicable to this parcel of land which would amount to approximately $452.49.

c) Renewal of the lease would be automatic annually after the three year period.

and further -

That the Mayor and City Clerk be authorized to sign the lease agreement.

(Note: A copy of the report of the Chief Administrative Officer and the Commissioner of Parks and Recreation is attached as Schedule "I", 4 Pages.)

CARRIED
Ald. Hawkins opposed

11. That a by-law be presented to Council to amend Section 10(b) of By-Law 24 (Traffic) as follows:

Add:	Area
Kirkpatrick St. N/S in front of Q.E.C.V.I.	from 80 feet east of the entrance to parking lot at Q.E.C.V.I., easterly 80 ft.
Delete:	
Kirkpatrick St. N/S at west entrance to Q.E.C.V.I.	80 feet (By-Law 4865-1965)

(Note: A copy of the report of the Administrator, Traffic, Streets and Parking is attached hereto as Schedule "J", 3 Pages.)

(See By-Law 10: No. 79-248) *CARRIED*

Ald. Clements returned at 9:20 p.m.

REPORTS (Cont'd)

Report No. 106 - Chief Administrative Officer

12. That, as recommended by the Administrator, Traffic, Streets and Parking, and pursuant to the provisions of the Expropriation Act, a by-law be presented to Council to authorize the expropriation of the vacant property of Canada Life, et al, on the south side of Queen Street between Montreal and Bagot Streets, described as Part of Lot 302, being required as part of the site for a parking lot and future parking garage.

(Note: A copy of the report of the Administrator, Traffic, Streets and Parking is attached hereto as Schedule "K", 1 Page.)

(See By-Law 4: No. 79-244

CARRIED 9:5

Ald. Hawkins opposed
Ald. McArthur opposed
Ald. Webb opposed
Ald. Lampropoulos opposed
Ald. Matthews opposed
(See following motion to table which was lost)

Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Clause 12, Report No. 106, be tabled until the next regular meeting of Council.

LOST 2:12

Ald. Clark declared a conflict of interest in Clause 13 since he formerly
shares in Parkington Homes Limited.

13. That, as recommended by the Commissioner of Industries and Airport Administrator, in view of the urgent need to meet the minimum requirements of the Ontario Ministry of Labour Industrial Safety Act, the tender received from Parkington Homes Limited to supply a single self-contained modular unit to be installed at the Norman Rogers Airport in the amount of $11,493.00 be accepted, being the lowest tender received.

and further -

That the amount of $8,500 allocated in the 1979 Airport Budget, Account 4585, for the purchase of the Hansler building be allocated for this purpose.

and further -

That the following budget transfer be approved:

	Increase	Decrease
AIRPORT Contributions from Revenue Fund, Acct. 4585		$8,500.
Building Maintenance, Acct. 4552	$8,500.	

(Note: A copy of the report of the Commissioner of Industries and Airport Administrator is attached as Schedule "L", 5 Pages.)

CARRIED

Ald. Clark abstained from voting

REPORTS (Cont'd)

Report No. 106 - Chief Administrative Officer

14. That, as recommended by the Administrator, Traffic, Streets and Parking, the Township of Kingston be notified that:

a) that one access will be permitted on Bath Road for the entire site location between Armstrong Road and Frontenac Mall,

b) that the entrance be provided with a deceleration lane twlve feet wide from Armstrong Road to the entrance.

c) that the developer will be responsible for obtaining an easement for a City sidewalk, to be constructed at the expense of the developer,

d) that the Township will be responsible for maintaining the sidewalk.

- and further -

That a by-law be presented to Council to authorize an agreement with Terence J. Tait regarding the following City conditions set out by the Frontenac County Land Division Committee"

"a) That the property owner deed a 10-foot strip across the front of the property (deed already provided).

b) That one access only be permitted on Bath Road with right hand turns in and out only.

c) That the developer be responsible for constructing a sidewalk at his expense.".

(Note: A copy of the report of the Administrator, Traffic, Streets and Parking is attached hereto as Schedule "M", 5 Pages.)

(See By-Law 1: No. 79-241)

CARRIED

Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That Council consent to the consideration of the following motion of Ald. Bishop and Ald. Clark as Clause 15, Report No. 106.

CARRIED

15. Moved by Ald. Bishop,
Seconded by Ald. Clark,

That the approval of City Council be given to the Kingston Kinseman Club for the issuance of a special occasion permit for the sale of alcoholic beverages on the occasion of the Kingston Home Expo Show, November 1, 2, and 3, 1979 at the Kingston Community Centre, being of Community benefit.

CARRIED

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

* * *

Schedule "A" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer
CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 8-3.9

October 15, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: RESIDENCY APPEAL COMMITTEE

We are forwarding herewith a report from Mr. Gordon Ball, wherein the Residency Appeal Committee are recommending that the City pass the attached resolution, whereby the City of Kingston would negotiate agreements with neighbouring townships to pay the residential share of subsidy for residents who apply for and are housed by the Kingston Housing Authority.

We enquired from Mr. Ball on the number of person that could be involved in this matter and he indicated that based on the applicants, approximately thirteen are from outside the City that have been approved.

For Council's information, the following items should be set out.

(1) Firstly, the City presently pays losses for the operation of its Housing Authority at 7½% per year.

(2) There are presently quite a number of applicants and persons receiving its service who are from outside the City limits.

(3) Approval of the applications at this time places persons on the waiting list and this means the persons qualify based on the number of points that have been allocated to him.

...2/

- 2 - October 15, 1979

(4) It is interesting to note that a number of other Municipalities have negotiated with Townships in surrounding municipalities for this particular service.

We would therefore recommend that attempts be made to negotiate these agreements as quickly as possible.

Yours truly,

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "A" to Report No. 106
(Page 3)

It was moved by Mr. Roney, seconded by Mr. Bryce and carried that the following resolution be submitted to City Council:

> *"Whereas many municipalities with a Housing Authority have entered into agreements with neighbouring municipalities to provide rent-geared-to-income housing with the municipal subsidy to be paid by the municipality of the resident applicant, and*
>
> *Whereas many residents from neighbouring municipalities are applying for rent-geared-to-income housing through the Kingston Housing Authority,*
>
> *Therefore, be it resolved that the City of Kingston negotiate agreements with neighbouring townships to pay the municipal share of housing subsidy for residents of their municipalities who apply for housing and are housed by Kingston Housing Authority."*

Meeting adjourned at 12:40 p.m.

Chairman

Schedule "B" to Report No. 106
(Page 1)

OCT 16 1979

EMORANDUM

DEPARTMENT
OF
PARKS AND RECREATION

O: R. J. Hamilton, C.A.O.

ROM: Douglas R. Fluhrer, Commissioner.

ATE: October 15, 1979.

E: Engineering Services - Elmer Youth Centre Renovations
J. D. Lee Engineering

attach and recommend payment of the two invoices from J. D. Lee gineering as follows:

a)	Invoice No. 357, July 31/79. -	$ 1,588.09
b)	Invoice No. 491., Sept.28/79. -	2,330.91
		$ 3,919.00

ese invoices are progress payments to this firm for their engineering rvices.

cidentally, this project is now back on schedule and the facility ould be refit and ready for use in very early November.

uglas R. Fluhrer,
mmissioner.

F/sw

tach.

Schedule "C" to Report No. 106
(Page 1)

OCT 1

MEMORANDUM

TO:	R. J. Hamilton, Chief Administrative Officer.
FROM:	Douglas R. Fluhrer, Commissioner, Parks & Recreation.
DATE:	October 17, 1979.
SUBJECT:	LEASE - CANADIAN HEARING SOCIETY - RECREATION CENTRE, CITY PARK.
ORIGIN:	A request for space has been received from the Canadian Hearing Society, who were formerly located in the old library.
ANALYSIS:	The Hotel Dieu Hospital had reason to take back use of the old library and it became necessary for the Canadian Hearing Society to find other facilities. They were shown the upstairs of the City Park Recreation Centre, and the facility suited their purposes. This proposal was taken to an earlier meeting of Council and Council approved the proposal in principle, subject to final negotiatio and the lease coming back for their consideration.
ALTERNATIVE:	This particular space, in this building, is really surplus to need and the rent received will offset a great deal of the utility cost for the entire building. (Approximately $800.00 per annum revenu
FINANCIAL CONSIDERATIONS:	In view of the fact the space is not required by the City, and that the rest of the building is required on a year-round basis and, therefore, must be heated, this revenue will offset operating costs to the advantage of the City.
RECOMMENDATION:	It is recommended that the Canadian Hearing Societ use of the building, as per the terms of the attac lease, be confirmed by Council.

Douglas R. Fluhrer,
Commissioner.

DRF/s
Attach.

PARKS AND RECREATION
OCT 9 [illegible]
REC'D.

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. L-137

MEMORANDUM

TO: Mr. D. Fluhrer,
Commissioner of Parks & Recreation.

FROM: Norman C. Jackson,
City Solicitor.

DATE: October 3, 1979

RE: LEASE - CANADIAN HEARING SOCIETY
- RECREATION CENTRE, CITY PARK

As requested by Mr. Peter Lawson of your department, I have prepared a lease between The Corporation of the City of Kingston and the Canadian Hearing Society, to lease space at the Recreation Centre, City Park, Bagot Street.

I enclose herewith a photocopy of the lease for your perusal and submission to Council, if it meets with your requirements.

:dg
encl.

Norman C. Jackson
City Solicitor.

c.c. to: Mr. Peter N. Lawson,
Director of Operations,
Department of Parks & Recreation.

P.S.: Would you please arrange to have a sketch outlining the area being leased attached to the lease agreement as Schedule "A", as we have done in the past with the leases for the J.K. Tett Centre.

Schedule "C" to Report No. 106
(Page 3)

THIS AGREEMENT MADE the 3rd day of October, 1979.

B E T W E E N:

THE CORPORATION OF THE CITY OF KINGSTON

(hereinafter called the "Lessor")

OF THE FIRST PART

- and -

CANADIAN HEARING SOCIETY

(hereinafter called the "Lessee")

OF THE SECOND PART

WITNESSETH that in consideration of the rents, covenants and agreements hereinafter reserved and contain on the part of the Lessee, the Lessor doth demise and lea unto the Lessee part of the building known as the Recreat Centre, City Park, covering approximately Six Hundred and Thirty-Six (636) square feet of floor space, situated on Bagot Street in the City of Kingston, in the Province of Ontario, as shown on the attached Schedule "A";

TO HAVE AND TO HOLD the said demised premises f and during the term of Five (5) Years, to be computed fro First day of September, 1979, and from thenceforth next e and fully to be complete and ended;

YIELDING AND PAYING THEREFOR unto the said Less commencing the first day of September, 1979, a sum of Seve Hundred and Ninety-Five Dollars ($795.00) per year, calcul at One Dollar and Twenty-Five Cents ($1.25) per square foo per year, payable on the first day of September of each a every year of the term of the lease. The annual rental ra shall be adjusted in accordance with an increase in the co of utilities services until the completion of this lease a

Schedule "C" to Report No. 106
(Page 4)

any extension thereof.

THE SAID LESSEE COVENANTS AND AGREES WITH THE SAID LESSOR AS FOLLOWS:

1. To pay rent.

2. To take out, pay for and keep in force and file with the Lessor, a policy of insurance which shall cover bodily injury, liability and property damage for the area leased and for the users of the area arising from the use or occupancy of the demised premises, in the amount of $500,000.00 and in a form satisfactory to the Lessor.

3. The said Lessor may enter and view the state of the facility at any time, and the said Lessor shall make any repairs according to notice in writing by the Lessee of any reasonable wear and tear.

4. Any renovations that the Lessee may wish to undertake to meet its requirements shall be done at its own expense and the plans therefor shall be referred to the Commissioner of Parks and Recreation for approval before any work is undertaken.

5. To indemnify and save harmless the Lessor from and against all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained, brought or prosecuted in any manner, based upon, occasioned by or attributable to any injury or damage arising or resulting from any act or omissions of the Lessee, its servants or agents in using or occupying the said demised premises.

6. To use the premises only for quiet performing type activities.

7. To leave the premises in good repair, rea wear and tear and damage by fire, lightning and tempes excepted.

IT IS MUTUALLY AGREED:

1. At the termination of the term of any ren of this agreement, provided that the building is not r for municipal purposes, the Lessor shall grant to the the first right of refusal to rent the premises, provi that the Lessee has complied with all the terms of thi to the satisfaction of the Lessor, at such rental as t is willing to accept from any other party, the Lessee thirty (30) days within which to notify the Lessor of acceptance or refusal of such an offer to rent, that t run from the date it receives written notice of such a from the Lessor.

2.(i) The parties agree that it is desirable th City-owned lands and buildings be used for cultural an recreational activities as much as possible, and that the premises are not being used by the Lessee, the Les use the property itself, and the Lessee will also arra other citizen groups to make use of the building or a thereof for quiet, amateur, cultural activities such a dancing when it is reasonable to do so, it being under that such uses of the premises by other groups will be very short time periods only, and that such groups wil

(a) be responsible for all damages to the building arising out of the use of the building or any part thereof;

(b) save the Lessor and the Lessee harmless for any claims arising out of the use of the premises;

(c) pay for or provide a surety bond or other satisfactory guarantee for the undertaking in section 2(i) (a) and (b) above, and pay the premium for additional insurance coverage as required by the Lessee;

(d) will not make any changes to the interior of the building;

Schedule "C" to Report No. 106
(Page 6)

(e) be responsible for any direct costs incurred for the use of the building, such as heat, light and janitorial service, but will not be required to pay any rental for the use of such premises except with the approval of the Lessor.

(ii) The Lessee shall not unreasonably withhold approval for citizens groups to use the building.

3. One year's written notice of intent by either party is required prior to termination or renewal negotiations of the agreement.

4. The Lessor reserves the right to review or terminate the said agreement should the property be required for City use, with the Lessee to receive ninety (90) days written notice.

5. The Lessee will not allow any ashes, refuse, garbage or other loose or objectionable material to accumulate in or about the above-mentioned property and shall at all times keep the said land in a clean and wholesome condition, and the Lessor shall be responsible for the pick-up of properly packaged debris from an agreed upon location.

6. The Lessee shall exercise parking control subject to the approval of the Department of Parks and Recreation within the designated area.

7. The said leave and lease is not transferable in any manner whatsoever and the Lessee shall not acquire any easement, right, title or interest in respect thereof.

8. Upon termination of the agreement, the Lessee may remove its fixtures, provided that the premises are left in a state satisfactory to the Lessor.

Schedule "C" to Report No. 106
(Page 7)

9. In the event of fire, lightning or tempest, rent shall cease until the premises are rebuilt, provide that the Lessor shall be under no obligation to rebuild substantial damage occurs.

10. In the event of non-payment of rent or in t event of the breach of any of the provisions of this lea the Lessor may re-enter, and the lease is thereby termin after having given the Lessee thirty (30) days notice in writing to rectify the non-payment.

11. THESE PRESENTS and everything herein contai shall respectively enure to the benefit of and be binding upon the parties hereto, their executors, administrators, successors and assigns.

IN WITNESS WHEREOF the Lessor has hereunto affixe corporate seal under the hands of its Mayor and City Cle and the Lessee has hereunto affixed its corporate seal un the hands of its duly authorized officers in that behalf.

SIGNED, SEALED AND DELIVERED) THE CORPORATION OF THE C
) OF KINGSTON
)
) Mayor
)
) City Clerk
)
)
) CANADIAN HEARING SOCIETY
)
)
)

Schedule "D" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

FICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 17, 1979

'O: R.J. Hamilton,
Chief Administrative Officer

ROM: B.G. Cousens,
City Treasurer

E: 1979 Budget

I attach herewith a list of budget transfers in order o update some of our Revenue and Expenditure accounts.

You will note that I have decreased the Sale of Property evenue by $66,005.

With the present balance in Finance Contingencies and he possibility of some of the expenditure budgets being underexpended t year end, I expect that we should end up the year with a modest urplus.

At the moment, there are two unknown factors relating o the budget. We still have an additional assessment to levy and s of today, I am not sure what the amount of that additional assessent will produce. The other matter is Building Permits, which is till questionable whether or not we will meet our projected budget n this regard.

I should appreciate it if the attached budget transfers ould be presented to Council for approval.

GC/jt
ncl.

Schedule "D" to Report No. 106
(Page 2)

BUDGET TRANSFERS

	Increase	Decrea
Expenditures		
Finance - Salaries - Supplementary Pension	$18,866.	
(Supplementary Pension added cost for Local 141 & Non-Union approved by City Council)		
Finance - Arbitration & Negotiations	4,872.	
Finance - Travelling	2,000.	
Finance - Interest on Temporary Borrowing	18,000.	
Finance - Discount on Tax Pre-payment Certificates	1,263.	
	$45,001.	
Revenue		
Other Taxation Bell Telephone & C.N.R.		$13,24
General Support Grant		1,28
Sale of Property		66,00
Resource Equalization Grant	$19,001.	
Community Centres Grant	18,257.	
Student Involvement Grant	2,277.	
Interest on Investments	43,000.	
Penalty & Interest on Taxes	43,000.	
	$125,535.	$80,53

SUMMARY OF TENDER NO. 79-35

for

FIRE DEPARTMENT CLOTHING

PAGE ONE

PERIOD OF USE: One Year
METHOD OF INVITATION: Public & Individual Notices
NO. OF INVITATIONS SENT: 40

DATE OF CALLING: September 6, 1979
DATE OF CLOSING: September 20, 1979
NO. OF TENDERS RECEIVED: 13

ITEM	QTY.	DESCRIPTION	(1) DOVER'S LTD.	(2) SAINTHILL LEVINE	(3) STOKES CAPS	(4) L. KIWAK	(5) J. R. GAUNT	(6) SCOTT LASALLE	(7) MUIR CAPS
1.	39	UNIFORM - three piece fireman's uniform (one jacket, two pr. trousers) - 9 Officers, 30 firemen	6,669.00 Fabric not to spec. 65% wool 35% polyester	4,941.30 Fabric not to spec. 70% polyester 30% acrylic	-	6,168.00 Fabric not to spec. 65% polyester 35% rayon	6,961.50 Fabric not to spec. 55% polyester 45% wool	6,240.00 Fabric not to spec. 65% polyester 35% rayon	-
2.	30	FIREMAN'S CAP - Blue serge uniform	570.00	495.00	288.00	-	435.00	-	288.00
3.A	1	OFFICER'S CAP - Blue serge uniform	26.75	23.00	13.60	-	22.00	-	14.85
3.B	8	OFFICER'S CAP - White top uniform	120.80	184.00	108.80	-	176.00	-	118.80
4.	1	CHIEF'S CAP - Blue top uniform	52.00	52.00	38.95	-	49.00	-	32.75
		DELIVERY	5 weeks	8 - 10 weeks	Not Shown	6 - 7 weeks	60 days	Not Shown	21 days

SUMMARY OF TENDER NO. 79-35

ITEM	QTY.	DESCRIPTION	(1) DOVER'S LTD.	(2) SAINTHILL LEVINE	(3) STOKES CAPS	(4) CALDWELL IND.	(5) J. R. GAUNT LTD.	(6) INTERNATIONAL UNIFORMS	(7) OUTDOOR OUTFITS	(8) CONTINENTAL SHIRTS	(9) H. STAR & SON	(10) L. R. EVANSON
5.A	44	OFFICER'S SHIRT - white uniform, short sleeve	440.00	470.80	541.20	465.08	-	-	404.80	364.32	528.00	391.60
5.B	44	OFFICER'S SHIRT - white uniform, long sleeve	462.00	431.20	668.80	491.48	-	-	448.80	395.12	550.00	444.40
6.A	146	FIREFIGHTER'S SHIRT - blue, uniform short sleeve, convertible collar	1460.00	1518.40	1795.80	1499.42	-	-	1343.20	1165.08	1165.08	1241.00
6.B	146	FIREFIGHTER'S SHORT - blue uniform, long sleeve	1533.00	1387.00	2219.20	1587.02	-	-	1489.20	1267.28	1311.08	1416.20
7.	96	TIES - uniform black tied, clip-on style, black clip	2.75/ea. (264.00)	2.50/ea. (240.00)	-	1.65/ea. (158.40)	1.85/ea. (177.60)	-	-	1.48/ea. (142.08)	1.48/ea. (142.08)	2.10/ea. (201.60)
8.	25	PARKA	-	1498.75	-	1056.25 Tall + 10% 48-50 +10% 50 + 15%	-	2250.00	1068.75	-	-	-
		DELIVERY	5 weeks	8-10 wks.	Not Shown	6-8 wks.	60 days	3 - 4 weeks	Not Shown	5 - 6 wks.	7-8 wks.	Not Shown

REMARKS

The herein tabulation is a summary of all tenders received in response to the subject tender.

Specifications for Item 1 were based on fabric selection provided by the Association calling for a 55% polyester - 45% rayon mixture. Unfortunately, this fabric is reportedly unavailable from Canadian Mills at this time. Resultantly all bidders have quoted on uniforms employing alternate fabrics.

The fabric quoted by bidders No. 4 and 6, (page 1) more closely approximate the specification.

SUMMARY OF TENDER NO. 79-35

RECOMMENDATION

It is recommended for consideration that the subject tender for the supplying of certain uniform clothing for the Fire Department be awarded, in part, as follows:

ITEM 1 - 39 THREE PIECE UNIFORMS	- to L. KIWAK (KINGSTON) in the amount of $6,168.00 T.I.P. delivered, being the lowest acceptable tender received.
ITEMS 2, 3A, 3B, & 4 - CAPS	- to STOKES CAP & REGALIA in the amount of $480.80 T.I.P. delivered, being the lowest tender received.
ITEMS 5A, 5B, 6A, 6B, & 7 - SHIRTS & TIES	- to CONTINENTAL SHIRT in the amount of $3,567.25 T.I.P. delivered, being the lowest tender received.
ITEM 8 - PARKAS	- to OUTDOOR OUTFITS in the amount of $1,143.56 T.I.P. delivered, being the lowest tender received.

Respectfully submitted,

M. J. Ewart,
Director of Purchasing.

MJE/jg

Schedule "F" to Report No. 106
(Page 1)

Council - Has been referred
the C. A.

FILE
#12-6

CANADIAN UNITED KINGDOM DANCE CLUB

14 Fairfield Bvd.
Amherstview
Ontario.

Mr. T.J. Kibbin
City Clerk Controller
City Hall
Kingston

Dear Sir, The Canadian United Kingdom Dance Club wishes to make application to City Council for approval of three dance events we have planned for the 1979/80 season.

You already have on record the aims and objectives of our club, as you approved some events for us last year at about this time. We also point out that we are members in good standing of the Folk Arts Council.

We feel the following events for which we make application are of cultural interest to the Kingston district community and deserve to be known to them.

Event 1:	British Fun Night on the 10th. November 1979 informal social and dance gathering. Some professional comedy acts, food and amateur entertainment.
Event 2:	Fish and Chip night on 16th. Feb 1980 traditional food, entertainment and dancing.
Event 3:	Toronto night. on 19th. April 1980 In collaboration with Canadian Amateur Ballroom Dancers Association Toronto. Demonstrations by some of their members. Similar to last year.

These events were well recieved last year and we believe contributed to good social relations in this city.

If approval is granted we will notify the City Fire Dept. Police and Health Authorities and forward all relevent information to the Liquor Licensing Board of Ont. at least 60 days before the events take place. If any additional information is needed please contact the telephone number below.

yours truly,

Arthur Peck

Arthur A. Peck
President.
389-0662

City of Kingston
RECEIVED
OCT 18 1979
DEPARTMENT OF
THE CITY CLERK

Schedule "G" to Report No. 106
(Page 1)

OCT 17 1979

CORPORATION OF THE
CITY OF KINGSTON

ICE OF THE
irector of Planning and Urban Renewal

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 16, 1979.

MEMORANDUM TO: Mr. R.J. Hamilton,
Chief Administrative Officer,
City Hall.

Re: 176 Nelson Street - 5% for Public Purposes

By-Law No. 8250 requires a conveyance of land or cash for parks purposes prior to issuance of a building permit for construction of, alteration of, or addition to any building containing three or more dwelling units. 176 Nelson Street consists of a building containing three dwelling units and a former store. The owner proposes to convert the store into a fourth dwelling unit which thus subjects the property to the application of By-Law No. 8250.

Mr. Fluhrer and I have discussed the matter and agree that it would be appropriate to accept cash in lieu of land inasmuch as the lot is very small - 30 ft. x 117 ft. and is occupied for the greater part by the existing building. It would be appreciated if this recommendation for the acceptance of cash in lieu of land could be recommended for approval by Council.

By-Law 8820 (as per copy attached) lays down a procedure in such cases which is no longer applicable since there is no longer a Parks & Recreation Committee. I will be recommending a revised procedure at the next Planning Board meeting.

Yours very truly,

G. G. Muirhead

GGM/mm
Encl.

G.G. Muirhead, M.C.I.P.
Director of Planning and
Urban Renewal.

c.c. Messrs. Fluhrer & Ruttan

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Building Official

CITY HALL
Kingston, Ontar
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-4

October 17, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: 176 Nelson Street - 5% for Public Purposes

We are forwarding herewith a memorandum from Mr. Muirhead recommending that the City accept cash in lieu of land dealing with this particular property at 176 Nelson Street. It is further noted that Mr. Fluhrer concurred with this approach in lieu of land and we would therefore recommend that Council adopt the report and the position as shown by the Department Heads.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "H" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
FFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 2-5.4

October 17, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL .

FROM: R.J. Hamilton, C.A.O.

RE: KINGSTON BUS FOR THE HANDICAPPED

We are attaching hereto a report from Mr. B.G. Cousens, City Treasurer, concerning the Kingston Bus for the Handicapped.

It is noted that the purchase and equipping of the bus requested will not exceed $12,500.00. This may be a used or new bus depending on the prices received by the Director of Purchasing.

The City of Kingston will not be assuming any costs at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "H" to Report No. 106
(Page 2)

OCT 17

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Treasurer

CITY HALL
KINGSTON, ONTAR
K7L 2Z3
(613) 546-4291

October 17, 1979

TO: R.J. Hamilton,
Chief Administration Officer

FROM: B.G. Cousens,
City Treasurer

ORIGIN: Letter from Kingston Bus for the Handicapped.

ANALYSIS: Kingston Bus for the Handicapped wish to purchase a bus and take advantage of provincial subsidy for 50 of the cost. In order to obtain subsidy, it is necessary for the City to purchase and retain owner ship of the bus, then lease it to the Kingston Bus for the Handicapped for $1.00 per year. They would cover the vehicle for insurance and be responsible for any deductible on the insurance.

The Province would pay 50% of the cost and the King Bus for the Handicapped would assume the other 50% so that there would be no cost to the City.

ALTERNATIVE: Kingston Bus for the Handicapped would acquire a bu and assume the entire cost.

FINANCIAL CONSIDERATION: Kingston Bus for the Handicapped can purchase & equi a bus for 50% of the cost, if purchased through the City. Purchasing department is obtaining estimates to determine whether or not a new bus can be acquire rather than a used one for an equivalent or slightly higher sum of money.

RECOMMENDATION: That application be made to the Province of Ontar for approval of subsidy for the purchase and equi of a bus for the handicapped at a cost not to exceed $12,500., it being understood that the Kingston Bus for the Handicapped will assume 50% of the cost and ownership of the bus will remain with the City. The bus will be leased to the Kingston Bus for the Handi naming the City as owner. Kingston Bus for the Hand will also be responsible for any deductible amount o the insurance coverage.

. . . . /2

Schedule "H" to Report No. 106
(Page 3)

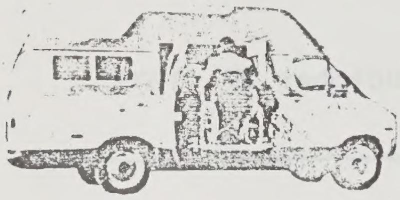
: R. J. Hamilton, C.A.O. October 17, 1979

COMMENDATION: Further, a by-law be presented to Council to authorize the execution of an agreement with the Kingston Bus for the Handicapped to implement the foregoing recommendation, and the following budget transfer be approved.

	Increase	Decrease
nance - Kingston Bus for the Handicapped	$12,500.	
venue		
Subsidy Kingston Bus for the Handicapped		$6,250.
Other Revenue - Kingston Bus for the Handicapped		6,250.

:/jt

TE: Once the Provincial approval for subsidy is received, the Director of Purchasing be authorized to purchase a bus, subject to the approval of the Kingston Bus for the Handicapped on whether a new or used bus will be acquired, depending on the price received for a new bus.



KINGSTON BUS
FOR THE HANDICAPPED
P.O. Box 423
Kingston, Ontario
K7L 4W2

October 15, 1979

Mr. B. Cousins
Treasurer
City of Kingston
City Hall
Kingston, Ontario

Dear Mr. Cousins:

Re: Kingston Bus for the Handicapped

On reading over the new Provincial Legislation that creates the funding of Transportation for the Handicapped, it is our understanding that any capital expenditure, namely the purchasing of a new bus, must be done through the auspices of the city.

Right now we need to buy a bus to keep up with the daily demand upon our service as well as maintaining a mechanically trouble free schedule. I should explain to you that all our vehicle purchases have to be modified to meet our riders physical needs of access. We commence, therefore, by purchasing a basic vehicle then we work on getting it adapted. What we have in mind today is the purchase of a 1978 GMC Rally Van, series 25, TGL26845002 51, Engine V8 automatic with power steering and power brakes, auxiliary rear heater,

Mileage: 19,000
Price: $ 6,800 excluding tax
Warranty: 100% 90 day commencing on the first day of road service
Licence: E68168
Dealer: Jack Blacklock, 531 Princess Street
Representative: H. Moon.

After purchasing the vehicle will then need:

Raised roof	$1,500
Hydraulic Lift	2,000
Tie downs for wheel chairs	500
Seats for ambulatory passengers	250

The above quotes for alterations are taken directly from our last bus purchase in February 1979 so there may well be an increase in today's prices and again this is excluding tax.

.... 2

Schedule "H" to Report No. 106
(Page 5)

As a registered charitable organization we have always been able to claim a total sales tax refund on our vehicle purchases. However, with the change in the direction of funding we have no idea whether that could still be applicable, you see sir, it is our understanding that the purchase of a vehicle and the subsequent alteration would be made by the city. The Bus for the Handicapped would then lease the bus for the payment of 50% of the purchase and alteration cost plus $1.00 per year. The responsibility of insurance coverage and the Ministry of Transport Safety Standard Certification annually would be ours.

Naturally, you will appreciate we would like approval to obtain the vehicle as soon as possible.

Yours truly,

(Miss) J. Perry
On behalf of the President and
Board of Directors
Kingston Bus for the Handicapped

546-3811

R B MCKEOWN 1-416-248-3785 MINISTRY

Schedule "I" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTAR
K7L 2Z3
(613) 546-4291

Our Ref. No. 12-2

October 17, 1979

M E M O R A N D U M

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. Hamilton, C.A.O.

RE: NEWCOURT FIELDS SUBDIVISION

We are attaching hereto a report from Mr. D. Fluhrer, Commissioner of Parks & Recreation concerning the leasing of land from Newcourt Fields Subdivision for park purposes.

It is noted that the lease for this parcel of land will increase our park area in this subdivision by approximately 40% which will create a broader use of the said lands.

There is very little capital outlay required by the City at this time to use this area which is already graded, etc.

We recommend the City lease this site as set out by Mr. Fluhrer.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "I" to Report No. 106
(Page 2)

OCT 17 1979

MEMORANDUM

R. J. Hamilton,
Chief Administrative Officer.

M: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

E: October 17, 1979.

JECT: LEASE OF PART LOTS - NEWCOURT FIELDS SUBDIVISION

GIN: Department of Parks & Recreation.

LYSIS: As per the attached sketch, the City approached Homestead Land Holdings Limited to see how the City could acquire a parcel of land which connects to a park. The reason for this was to enlarge the park area thus making it useable for a wider variety of field sports, such as soccer, touch football, softball, and at the same time, serve as a neighbourhood park. The present density of this area, coupled with the projected density, strongly suggests this to be a known need.

RNATIVE: The alternative would be a field with a size less than desired.

NCIAL
SIDERATIONS: The proposal from Homestead Land Holdings Limited is a dollar per year, as per their attached letter. Further to this, the City would waive the taxes applicable to this parcel of land. This would have an approximate cost effect of $452.49.

MMENDATION: It is recommended that Council authorize the Chief Administrative Officer to enter into negotiations with Homestead Land Holdings Limited to proceed as outlined for the acquisition of this land by lease.

las R. Fluhrer,
issioner.

s
ch.

Schedule "I" to Report No. 106
(Page 3)

HOMESTEAD LAND HOLDINGS LIMITED
CONSTRUCTION OFFICE

P.O. BOX 1453
80 JOHNSON STREET
KINGSTON, ONTARIO
TELE
846

PARKS AND RECREATION
OCT 2 1979
REC'D.

September 26th, 1979

Parks Commissioner
City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

ATTENTION: MR. D. FLUHRER

Dear Sir:

RE: NEWCOURT FIELDS PARK

This is in regard to your letter of last spring wherein you inquired whether we would be prepared to give the City access to the piece of property in Newcourt Fields, off 62 Old Oak Road, next to the property allotted as park to the City.

We are prepared to lease this piece, formerly known as Block "C", at $1.00 a year, for a term of three years. (See attached sketch). Renewals will be automatic annually thereafter.

Yours sincerely,

HOMESTEAD LAND HOLDINGS
LIMITED,

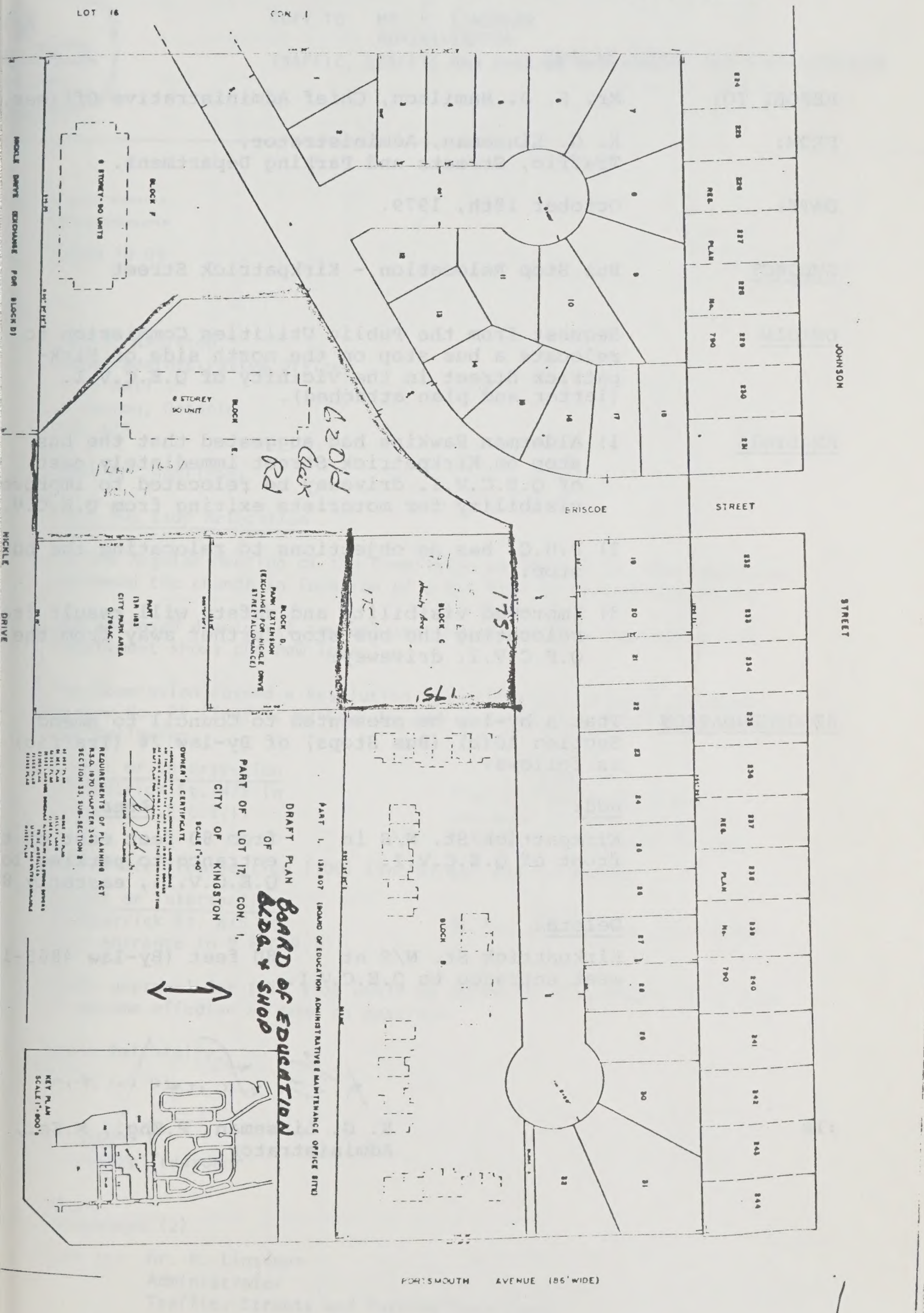
Per:

JCS*ch
enc.

James C. Stewart

Schedule "I" to Report No. 106
(Page 4)

070-150-23479-0000-


LOT 18
CON. I
NICKLE DRIVE EXCHANGE FOR BLOCK D
6 STOREY - 90 UNITS
BLOCK F
6 STOREY 90 UNIT
BLOCK
620 Old Clark Rd
BLOCK C
175'
175'
BLOCK D.
PARK EXTENSION
(EXCHANGE FOR NICKLE DRIVE STREET ALLOWANCE)
PART 1
13R 1183
CITY PARK AREA
0.784 AC.
NICKLE DRIVE
PART 1, 13R 807 (BOARD OF EDUCATION ADMINISTRATIVE & MAINTENANCE OFFICE SITE)
DRAFT PLAN
OF
PART OF LOT 17, CON. 1,
CITY OF KINGSTON
SCALE 1"=40'
BOARD OF EDUCATION BLDG. + SHOP
OWNER'S CERTIFICATE
REQUIREMENTS OF PLANNING ACT
R.S.O. 1970 CHAPTER 349
SECTION 33, SUB-SECTION 2
KEY PLAN
SCALE 1"=800'±
BLOCK
BRISCOE
STREET
JOHNSON
STREET
REG. PLAN No. 790
PORTSMOUTH AVENUE (85' WIDE)

Schedule "J" to Report No. 106
(Page 1)

REPORT TO:	Mr. R. J. Hamilton, Chief Administrative Officer.
FROM:	K. G. Linseman, Administrator, Traffic, Streets and Parking Department.
DATE:	October 18th, 1979.
SUBJECT	Bus Stop Relocation - Kirkpatrick Street
ORIGIN	Request from the Public Utilities Commission to relocate a bus stop on the north side of Kirkpatrick Street in the vicinity of Q.E.C.V.I. (letter and plan attached).

ANALYSIS

1) Alderman Hawkins had suggested that the bus stop on Kirkpatrick Street immediately east of Q.E.C.V.I. driveway be relocated to improve visibility for motorists exiting from Q.E.C.V.I

2) P.U.C. has no objections to relocating the bus stop.

3) Improved visibility and safety will result from relocating the bus stop further away from the Q.E.C.V.I. driveway.

RECOMMENDATION

That a by-law be presented to Council to amend Section 10(b) (Bus Stops) of By-law 24 (Traffic) as follows:

Add:	Area
Kirkpatrick St. N/S in front of Q.E.C.V.I.	from 80 feet east of the entrance to parking lot Q.E.C.V.I., easterly 80

Delete:	
Kirkpatrick St. N/S at west entrance to Q.E.C.V.I.	80 feet (By-law 4865-196

K. G. Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "J" to Report No. 106
(Page 2)

COPY TO: MR. K. LINSEMAN
ADMINISTRATOR
TRAFFIC, STREETS AND PARKING DEPARTMENT

.U.C.
hydro utility
KINGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC, GAS, WATER AND TRANSIT SERVICES

P ENG., GENERAL MANAGER
C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 10 09

Mr. R. Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Hamilton:

Re: Bus Stop Relocation

At the Regular Meeting of the Commission on 1979 10 04, the Commission approved the change in location of a Bus Stop on Kirkpatrick Street.

The enclosed drawing (2 copies) and the report from the Engineering Department shows the new location.

The Commission passed a Resolution requesting City Council to amend By-Law No. 24 (Traffic By-Law) by adding to Section (10B) (Bus Stops) the following:

Street or Intersection	Area
Kirkpatrick St. N/S in front of Q.E.C.V.I.	from 80 feet east of the entrance to Parking Lot at Q.E.C.V.I., easterly 80 feet

and delete from Section (10B) (Bus Stops) the following:

Street or Intersection	Area
Kirkpatrick St. N/S at West entrance to Q.E.C.V.I.	80 feet (By-Law No. 4865-1965)

Early approval for this stop would be appreciated to enable us to have it become effective as soon as possible.

Yours faithfully,

A. Bowie
Secretary Treasurer

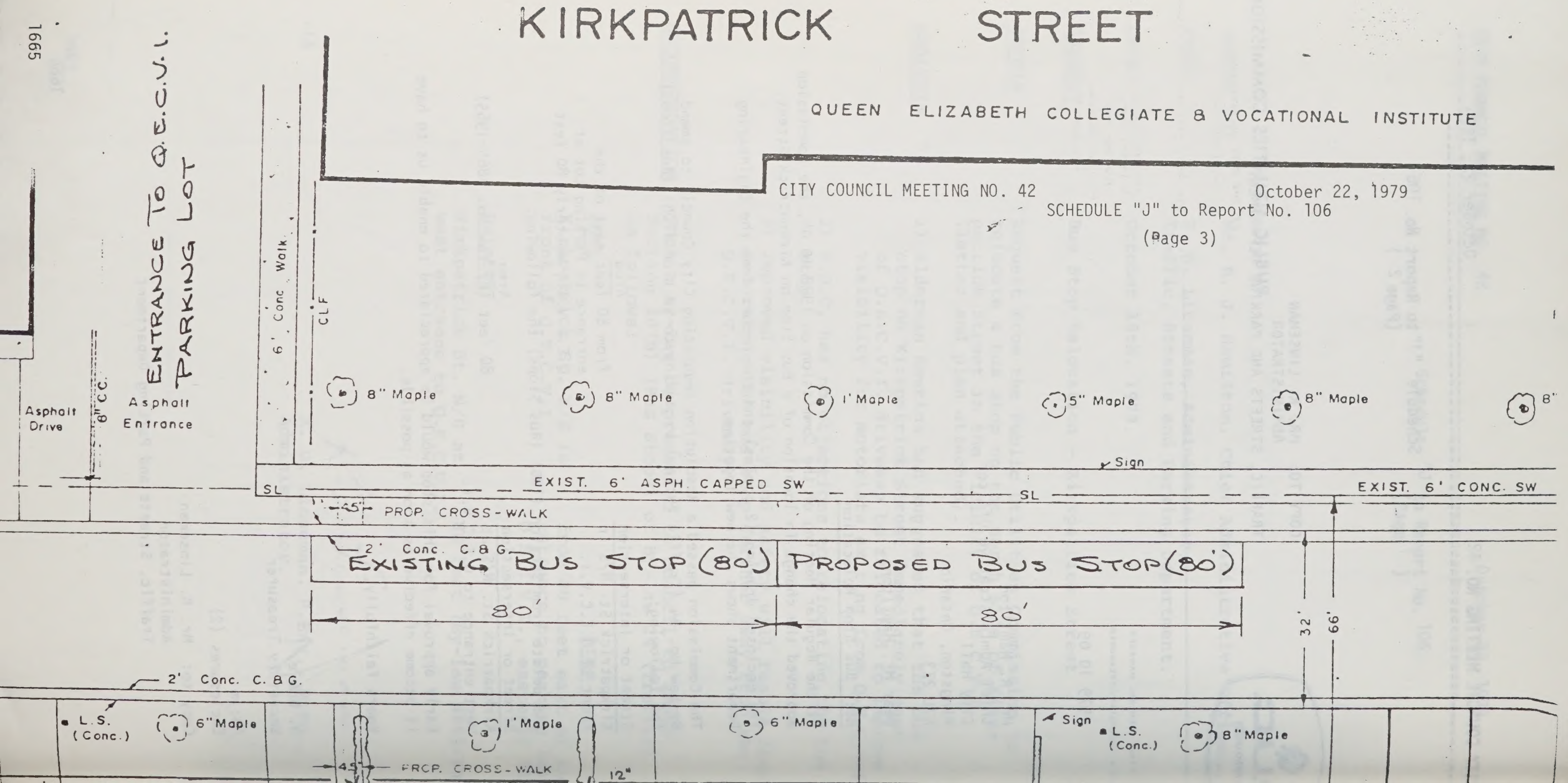
AB:jm
Enclosures (2)

Copy to: Mr. K. Linseman
Administrator
Traffic, Streets and Parking Department

CITY COUNCIL MEETING NO. 42 October 22, 1979

SCHEDULE "J" to Report No. 106

(Page 3)


KIRKPATRICK STREET
QUEEN ELIZABETH COLLEGIATE & VOCATIONAL INSTITUTE
ENTRANCE TO Q.E.C.V.I. PARKING LOT
Asphalt Drive
8" C.C.
Asphalt Entrance
6' Conc. Walk
CLF
8" Maple
8" Maple
1' Maple
5" Maple
8" Maple
8"
Sign
SL
EXIST. 6' ASPH. CAPPED SW
SL
EXIST. 6' CONC. SW
4.5'
PROP. CROSS-WALK
2' Conc. C.&G.
EXISTING BUS STOP (80')
PROPOSED BUS STOP (80')
80'
80'
32'
66'
2' Conc. C.&G.
L.S. (Conc.)
6" Maple
1' Maple
6" Maple
Sign
L.S. (Conc.)
8" Maple
4.5'
PROP. CROSS-WALK
12"

Schedule "K" to Report No. 106
(Page 1)

EPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

ROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Administrator.

ATE: October 18th, 1979.

UBJECT Expropriation of the Canada Life Assurance, et al, Property on Queen Street - Springer Parking Lot

RIGIN Traffic and Streets Department

NALYSIS

1) Section 16 of The Expropriations Act, R.S.O. 1970 chapter 154, states that, "where there are more separate interests than one in land the market value of each such interest shall be valued separately".

2) The City's appraiser, Mr. W. E. Webster, has recently completed an appraisal of each of the interests in the property owned by Canada Life Assurance Company, London Life Insurance Company and Mutual Life Assurance Company of Canada (report attached)*. In his report, Mr. Webster has appraised the interests of the owner and the two lessees as follows:

Canada Life, et al	$31,405.42
Loblaw Groceterias Co. Ltd.	12,094.58
G. Tamblyn Co. Ltd. (Boots)	Nil
	$43,500.00

3) Tamblyn's (Boots Drugs) to receive no compensation because they do not use the land other than as access to the rear door of their building. The City will continue to provide a right of way to the rear of the property across the parking lot. On December 6th, 1978 the Transportation Committee had agreed to delete the acquisition of the rear portion of the two-storey concrete block building as it is more practical to include renovation and modification of the building with the construction of the parking garage than to demolish the building.

4) Now that the interests of each of the parties have been appraised, it is in order to file an Expropriation Plan and to formally offer the appraised amount to each interest.

5) Each of the interests in the property has been requested to give their permission to enter the lands.

6) None of the owners or lessees has requested an inquiry hearing after due notice having been sent out and thirty days' notice having expired.

ECOMMENDATION That a by-law be presented to Council to authorize the expropriation of the vacant property of Canada Life, et al, on the south side of Queen Street between Montreal and Bagot Streets, described as Part of Lot 302, being required as part of the site for a parking lot and future parking garage.

mbers of Council Only

k

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "L" to Report No. 106
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officier

CITY HALL
KINGSTON, ONTAR
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

October 19, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: AIRPORT - WASHROOM FACILITIES/OFFICE

We are forwarding herewith a report from Mr. W.D. Stevens, recommending the acceptance of the low tender of Parkington Homes Limited in the amount of $11,493.00 to supply a single self-contained modular unit to be installed at the Norman Rogers Airport.

Council will recall that we reported this matter on September 17th, 1979, whereby we recommended that we not accept the tender for construction of a washroom but rather we ask for tenders on a modular unit

This matter was reviewed with Mr. Cousens who indicated that Mr. Stevens, at this time, has sufficient funds in his 1979 Budget to allow and cover this purch

We therefore recommend that Council authorize Administration to purchase this building to provide the necessary washrooms, office space, etc. as was previousl indicated to Council.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "4" to Report No. 106
(Page 2)

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: October 19, 1979

SUBJECT: AIRPORT - Washroom Facilities/Office

ORIGIN: The 1979 Airport Budget included an appropriation for construction of a washroom facility and, alternatively, an amount for the acquisition of the Hansler building. The Hansler building would provide the required washroom, office space for airport staff and additional leasable space to meet Customs and Immigration requirements.

During budget review, Council considered purchase of the Hansler building a more appropriate course of action and approved the amount of $8,500. for this purpose. Accordingly, the $6,000. allocation for the washroom facility was deleted from the budget.

ANALYSIS: Negotiations for purchase of the Hansler building, as recommended by the Transportation Committee, were rejected by Mr. A. Smith, President, Hansler Smith Ltd. The building was dismantled and removed from the airport land in June, 1979.

A requisition dated June 12, 1979, was raised for the construction of a washroom in the north end lean-to of Hangar No. 4. Attached hereto as Schedule "A" is a copy of a memorandum dated August 2, 1979, from the Director of Purchasing with respect to Inquiry No. 79-54 for this project.

At a meeting of Council September 10, 1979, it was requested that the possibility of obtaining a prefabricated unit be explored with the Parkington Corporation. Subsequent to reporting confirmation of specifications and cost obtained from the Parkington Corporation, Council at its meeting held September 24, 1979, recommended that Purchasing obtain quotations for a modular unit from other suppliers. A summary of submissions received respecting Tender No. 79-41 for the supply of a modular portable office/washroom and recommendation by the Director of Purchasing is attached hereto as Schedule "B".

EXISTING POLICY: The lowest tender is accepted, unless there is an economic advantage to do otherwise.

FINANCIAL CONSIDERATIONS: The amount of $8,500. intended for purchase of the Hansler building represents approximately 75% of the cost. There are sufficient funds in the Airport Building Maintenance account to allow completion of the project.

RECOMMENDATIONS: In view of the urgent need to meet the minimum requirements of the Ontario Ministry of Labour Industrial Safety Act, it is recommended that the tender received from Parkington Homes Limited to supply a single self-contained modular unit to be installed at the Norman Rogers Airport in the amount of $11,493.00, be accepted, being the lowest tender received;

Schedule "L" to Report No. 106
(Page 3)

SUBJECT: AIRPORT - Washroom Facilities continued

RECOMMENDATIONS: and

that the amount of $8,500. allocated in the 1979 Airport Budget, Acct. 4585, for the purchase of the Hansler building be allocated for this purpose;

and further

that the following budget transfer be approve

	Increase	Decrease
AIRPORT Contributions from Revenue Fund, Acct. 4585		$8,500.00
Building Maintenance, Acct. 4552	$8,500.00.	

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

Attachments

Schedule "L" to Report No. 106
(Page 4)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. W. D. Stevens, Airport Administrator

FROM: Mr. M. J. Ewart, Director of Purchasing

DATE: August 2, 1979

SUBJECT: Inquiry No. 79-54 - Washroom/Hangar No. 4

The undernoted amounts represent the lowest bids received in response to the subject Inquiry, which was circulated to some sixteen local contractors and which enjoyed a fifty per cent response.

*NORTH CONSTRUCTION Alt. B - * $9,176.00 with holding tank*
*Alt. A - * $8,776.00 with septic system*

*(*Incidental to either installation will be the added costs for rock excavation @$100.00 per cubic yard and $4.00 per cubic yard (in place) for any new cover soil for tile bed. These intangible factors could conceivably add 15 - 25% respectively to each of the above amounts.)*

If there are adequate funds available I will proceed to obtain authorization for acceptance pursuant By-Law No. 1.

However, you may wish to present this directly in support of your application for budgetary transfer.

The Company in mention reportedly enjoys a very favourable record of contractual performance.

Bids range from $8,776.00 to $17,778.00 in a profile of eight submissions.

Yours very truly,

M. J. Ewart, Director of Purchasing.

MJE/jg

SCHEDULE "L" TO REPORT NO. 106
(Page 5)

SUMMARY OF TENDER NO. 79-41

for

MODULAR PORTABLE OFFICE/WASHROOM

PERIOD OF USE: Indefinite
METHOD OF INVITATION: Public & Individual
NO. OF INVITATIONS SENT: 27

DATE OF CALLING: October 4, 1979
DATE OF CLOSING: October 18, 1979
NO. OF TENDERS RECEIVED: 5

QTY.	DESCRIPTION	PARKINGTON HOMES LIMITED	CDS OFFICE RENTALS	RICHARD'S HOME IMPROVEMENTS	MILLER MOBILE HOMES	RUSTON TRAILER LEASING
1	SUPPLY AND INSTALL ONE SINGLE MODULAR PORTABLE OFFICE/WASHROOM	$11,493.00	13,900.00	14,930.34	13,400.00	14,910.00
	FEDERAL SALES TAX	Included	Included	Included	Included	Included
	PROVINCIAL SALES TAX	Exempt	Exempt	Exempt	Exempt	Exempt
	TOTAL DELIVERED AND INSTALLED	11,493.00	13,900.00	14,930.34	13,400.00	14,910.00

REMARKS

The foregoing tabulation is a summary of all tenders received in response to the subject tender for the supply and site installation of a modular portable office/washroom facility at Norman Rogers Airport.

RECOMMENDATION

It is recommended for consideration that the tender of PARKINGTON HOMES (KINGSTON) LIMITED for the supplying of a modular office/washroom, in the amount of $11,493.00, T.E.P. (INSTALLED) be accepted being the lowest tender received in accordance with Tender No. 79-41.

Respectfully submitted,

(M. J. Ewart, Director of Purchasing.

MJE/jg

October 22, 1979
SCHEDULE "M" TO REPORT NO. 106
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linesman, Administrator,
Traffic, Streets and Parking Administrator.

DATE: October 18, 1979.

SUBJECT Access to Tait Property - north side of Bath Road, west of Armstrong Road

ORIGIN Kingston Township

ANALYSIS

1) Kingston Township resolution restricts the severed property (Foodcorp Ltd.) to one access, but no mention is made of the parcel of land retained by Mr. Tait between the severed property and Frontenac Mall.

2) In order to have assurance that no more than one access will be permitted for the total site, a letter was requested from Mr. Tait to confirm that access from the retained property would be via right of way across the severed property to Bath Road (letter from Mr. Tait attached).

3) The access was relocated a sufficient distance from Armstrong Road to permit adequate deceleration maneuvering. The Township was advised that a triangular island should be installed in order to physically prevent any left hand turns, in accordance with the Traffic Department standards.

4) The Township Public Works Department submitted a plan prepared by Foodcorp Ltd. showing an inadequate deceleration lane. The Township was advised that the 75-foot deceleration lane was inadequate and that an additional 12-foot lane must be provided between the entrance and Armstrong Road.

5) Access will also be provided to Armstrong Road, which is located opposite a median opening, which will permit left hand turns entering and exiting from the site, in addition to the right hand turns in and out.

6) As a result of a previous severance, the conditions for the severance by the Frontenac County Land Division Committee were as follows:

   a) That the property owner deed a 10-foot strip across the front of the property (deed already provided.)

   b) That one access only be permitted on Bath Road with right hand turns in and out only.

   c) That the developer be responsible for constructing a sidewalk at his expense.

7) A problem developed regarding the installation of a sidewalk, due to the wide ditch in front of the property. The property owner has agreed the southerly five feet of the 20-foot Township easement immediately north of Bath Road could be used to construct a public sidewalk which is to be maintained by the Township (letter attached).

OMMENDATION

1) That the Township be advised,

   a) that one access will be permitted on Bath Road for the entire site location between Armstrong Road and Frontenac Mall,

   b) that the entrance be provided with a deceleration lane twelve feet wide from Armstrong Road to the entrance,

   c) that the developer will be responsible for obtaining an easement for a City sidewalk, to be constructed at the expense of the developer,

   d) that the Township will be responsible for maintaining the sidewalk.

Schedule "M" to Report No. 106
(Page 2)

-2-

RECOMMENDATION (cont'd)

2) That a by-law be passed to authorize an agreement with Terence J. Tait regarding the following City conditions set out by the Front County Land Division Committee.

a) That the property owner deed a 10-foot strip across the front of the property (deed already provided).

b) That one access only be permitted on Bath Road with right hand turns in and out only.

c) That the developer be responsible for constructing a sidewalk at his expense.

:vn

Linseman

K.G. Linseman, P. Eng., M.Sc.
Administrator

TELEPHONE 613-389-1804

TAIT & KAMINER
BARRISTERS & SOLICITORS

NCE J. TAIT, LL.B.
DA J. KAMINER, B.A., M.A., LL.B.

NORTHERN & CENTRAL GAS BUILDING,
520 GARDINERS ROAD,
KINGSTON, ONTARIO
K7M 3X9

DELIVERED BY HAND

October 16th, 1979.

Corporation of The City of Kingston,
City Hall,
Ontario Street,
Kingston, Ontario.

Attention: Ken Linseman, Esq.

Re: Bayou West - Bath Road

Dear Sir:

This will confirm our telephone conversation wherein I advised that neither I or Foodcorp have any objection to the sidewalk being located on the Southerly 5 feet of the 20 foot water and sewer easement. This will also confirm that the Township of Kingston has no objection to its location there also.

The sidewalk will be built at my expense in accordance with the Site Plan Agreement already executed by me and which is in your hands and the Township of Kingston will be responsible for maintaining it.

Yours very truly,

Terence J. Tait

TJT*s

Schedule "M" to Report No. 106
(Page 4)

TELEPHONE 613-38

TAIT & KAMINER
BARRISTERS & SOLICITORS

TERENCE J. TAIT, LL.B.
JEHUDA J. KAMINER, B.A., M.A., LL.B.

NORTHERN & CENTRAL GAS BUIL
520 GARDINERS ROAD,
KINGSTON, ONTARIO
K7M 3X9

TO BE DELIVERED September 13th, 1979

The Corporation of the
City of Kingston,
City Hall,
KINGSTON, Ontario

ATTENTION: Mr. Ken Linseman
Traffic Administrator

RE: Bath Road project
- Tait

Dear Sir:

Further to our recent telephone conversation, I am enclosing a copy of the Preliminary Print done by Smith & Smith which sets out in detail how the Bath Road frontage is being severed into three parts. The Liquor Control Board owns Part 7 and 8 on Plan 13R-3784. The FoodCorp Ltd. will own Parts 4,5,6,7,8 and 9 as shown on the attached plan, while I will retain ownership of Parts 1,2 and 3.

It is agreed by me that there will be only one entrance/exit on the Bath Road and it is shown on the attached plan as being located in the area of Part 4. There is also an entrance off the Armstrong Road which is shown as Part 5 on Plan 13R-3784. This entrance will be the major entrance to the plaza as all of the eastbound traffic will use it and probably most of the westbound traffic will use it.

I am also pleased to enclose the Agreement between myself and the City dated September 21st,1978 duly executed by myself. Mr. Jackson sent me this Agreement on September 21st,1978 at which time I phoned and advised him that I would hold this Agreement until such time as I concluded my plans for the development of the whole of the property.

For purposes of clarification, it should be noted that I will retain rights-of-way over Parts 5 and 8 on Plan 13R-3784 and also Parts 4,7 and 9 on the attached plan. Thus there will be two entrances and exits to my property off the Armstrong Road and one entrance/exit off the Bath Road. In other words, my property is not landlocked.

/...2

Schedule "M" to Report No. 106
(Page 5)

Page 2

I am also enclosing FoodCorp Ltd.'s recent Site Plan which incorporates the requirements of the Township of Kingston with respect to both the location and design of the entrance/exit on the Bath Road. I would appreciate your comments.

Yours very truly,

TAIT & KAMINER

PER:

TERENCE J. TAIT

TJT/jap
Encl.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That the Report of the Committee of the Whole be adopted and confirmed

CARRIED

MOTIONS

NOTICE OF MOTION

Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the Better Business Bureau be contacted through their central registry with a request to establish an office in the City of Kingston.

TABLED
(See following motion to table)

Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the notice of motion of Ald. Webb and Ald. Timmins be tabled until aft matter has been discussed by the Kingston Chamber of Commerce.

CARRIED

* * *

BYLAWS

Council consented to the addition of By-Law No. 10.

(A) Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That By-Laws 1 to 6 and 9 and 10 be given their First & Second Reading

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Tarnowecky,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Givin By-Laws 2 to 6 and 10 their Third Reading.

CARRIED

(C) Moved by Ald. Timmins,
Seconded by Ald. Gerretsen,

That By-Laws 2 to 8 and 10 be given their Third Reading.

CARRIED

BYLAWS (Cont'd)

(1) A By-Law to Authorize the Execution of an Agreement with Terence J. Tait (Access and Sidewalk North of Bath Road West of Little Cataraqui Creek)

FIRST AND SECOND READINGS PROPOSED NO. 79-241
Clause 14, Report No. 106, 1979.

(2) A By-Law to Amend By-Law No. 1998, "A By-Law to Require the Closing of Gasoline Service Stations During Certain Hours" (Amend Penalty Clause, Amendments to Rotation Schedules)

THREE READINGS PROPOSED NO. 79-242
Clause 1 and 2, Report No. 104, 1979.

(3) A By-Law to Amend By-Law No. 10, "A By-Law Respecting Streets" (Street Closures for Short Duration Delegated to the Mayor)

THREE READINGS PROPOSED NO. 79-243
Clause 9, Report No. 100, 1979.

(4) A By-Law to Authorize the Expropriation of Property on the South Side of Queen Street between Montreal and Bagot Streets (Part of Lot 302) (Portion of Parking Lot)

THREE READINGS PROPOSED NO. 79-244
Clause 12, Report No. 106, 1979
Ald. Hawkins opposed
Ald. Matthews opposed
Ald. Lampropoulos opposed
Ald. McArthur opposed
Ald. Webb opposed

(5) A By-Law to Authorize the Execution of An Agreement with Bob Martin Construction Co. Ltd. and Robert Bennett Martin In Trust (Sewer Connection: West Side of Queen Mary Road North of Bath Road)

(THREE READINGS) (PROPOSED NO. 79-245)
(By-Law No. 14)

(6) A By-Law to Confirm the Proceedings of Council at its meeting held on October 22, 1979.

(THREE READINGS) (PROPOSED NO. 79-246)
City Council Meeting No. 42, 1979.

(7) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Revise Exceptions in Zone A.165 (One and Two Family) Residential for 119 Barrack Street).

THIRD READING (Proposed No. 79-234)
Clause 2, Report No. 102, 1979

(8) A By-Law to Amend the Official Plan of the City of Kingston Planning Area. (Amendment No. 3: Conveyance of Land for Park Purposes).

THIRD READING (Proposed No. 79-235)
Clause 3, Report No. 102, 1979

BYLAWS (Cont'd)

(9) A By-Law to Authorize the Execution of an Agreement with Kingston Bus for the Handicapped (Purchase of Bus)

FIRST AND SECOND READINGS Proposed No. 79-247
Clause 9, Report No. 106

(10) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Clause 11, Report No. 106)

THREE READINGS Proposed No. 79-248
Clause 11, Report No. 106, 1979

(Note: Ministry of Transportation and Communications Approval NOT required)

* * *

UNFINISHED BUSINESS

Alderman Webb said that the City had a most unwelcome visitor - the "Cape Transport" tied up at the La Salle Causeway. This ship had been told to leave Clayton, N.Y. It had attempted to tie up at the Elevator but was not welcome there. He asked that the Mayor request the Harbour Mast or the Department of Public Works to have it moved out of there.

Mayor Keyes said that the Harbour Master is responsible. He had spoken him and was assured that it would be out of there before winter. It is having some adjustments done and until this is completed it can not ente the Seaway.

Alderman Webb said that in the Saturday Star he was shocked to find a letter to the editor and the heading was "An Insult to the Memory of Sir John A.". Apparently the gentleman, who is an amateur historian, visited the City of Kingston with his wife and had visited the home of Sir John A. Macdonald. He had enquired as to where he was buried and no one seemed to know. He had asked at the local tourist office and they were not sure. He had asked people on the streets and had gone to Queer University where a girl in the history department said she thought he wa buried in Ottawa. He had then gone to the library at Queen's where he finally had a gentleman tell him where it was. He had driven to the graveyard and had found no markings on the road. He and his wife had spent about an hour looking at each gravestone when he had asked two ch playing near by. They had directed him to the graveyard across the roa where he had at last found Sir John's grave. Since then he had returne several times to Kingston and had found no markers on the road or any pamphlets showing the grave.

Mayor Keyes said that he would reply to the writer of the letter to the

Alderman Webb said that he had spoken to Mrs. Lukits about the article in the Kingston Whig-Standard on the week-end. She had promised to do correction with regard to certain statements attributed to him. He had no grudges against anyone in Sydenham Ward and had sat on Council with some 25 to 35 aldermen representing this ward.

Alderman Hawkins said that he had been assured that the top capping of asphalt would be on Montreal Street and Concession Street but there app to be a problem between the sub-contractor and the contractor. This w have been completed on October 15th. He requested the Chief Administra Officer to look into the matter.

UNFINISHED BUSINESS (Cont'd)

Alderman Hawkins said that the Peter Pan Nursery is looking for accommodation. He asked if any of the City officials or anyone watching the Council Meeting knew of any accommodation suitable for this purpose that they contact the Peter Pan Nursery. Attempts by them to find accommodation had not been successful.

Alderman Gorham said that he concurred with the comments of Alderman Webb with regard to the "Cape Transport."

Alderman Gorham said that the newspaper article on the week-end deepened the situation between Sydenham Ward and the other wards. He was concerned that when one talks in generalities they also include him. As an alderman he based his decisions on information given to him and he represented the whole City.

Alderman Gorham said that he had received reports as to the poor condition of the sidewalks on Princess Street. He realized that there are proposals to repair the sidewalks in Ontario Street. However, on reviewing upper Princess Street many areas are in a deplorable mess. He would ask the Commissioner of Works to look at this at budget time. At present sidewalks are being patched with black asphalt and these patches are higher than the rest of the sidewalks.

Alderman Clements said that traffic at Princess and Drayton Streets is moving faster all the time and there is more parking all the time. He was concerned that when the parking is taken off Princess Street that this would become a real speedway.

Alderman Bishop said that he is concerned about a situation at the bottom of Greer Street. The person living there has no sidewalk or streets. He would like something to be done about that.

Alderman Timmins said that with regard to the article in the paper on the weekend only one thing concerned him. It may be that the writer should make some clarifications. He was not sure that the writer of the article was saying that there was a conflict between members of Council and people in Sydenham Ward. He did not like the staff included in political fights with ratepayer groups, if this is the case. Members of the staff supply any information a ratepayers group requests. If there is any animosity it is not with department heads and staff. It is possible between certain members of Council and certain individuals in the ratepayers association.

Alderman Gerretsen said that he had read the article and his only comment was that at one time there was a north/south, east/west split. Now it would seem to be that it is a Sydenham Ward, rest of the City split.

Alderman Gerretsen said that there is a person operating a chip truck on the corner of Clergy and Princess Streets. He did not know if the City could do anything about this or whether the City wanted to do anything about this. It is having an effect on some of the restaurants in the area and it is obviously the type of thing that they cannot compete with. Only a vendor's permit is required for this business to operate and the owner does not have to pay taxes like the rest of the merchants. This should be referred to the City Solicitor for his comments.

Mayor Keyes said that he had referred the matter to the Chief Building Inspector at the moment as the owner of the chip truck is operating from space rented from the owner of the property. He has paid for a refreshment vehicle permit licence and has the approval of the health authorities.

Alderman Gerretsen said that there should be fair competition. The owner is taking advantage of the situation.

UNFINISHED BUSINESS (Cont'd)

Alderman Gerretsen commented on the Master Plan Development Report with regard to the Kingston Airport and said that Mr. Stevens should be congratulated for this report. A brief was included with the report prepared by the Kingston Airport Neighbours Committee. He questioned several statemen made in that brief. There is a suggestion that most of the policy for the airport has been done behind closed doors. Council has dealt with just about every issue related to the airport and 99.9% have been dealt with in open session, published in the Whig-Standard and an agenda for the meeting was available. He could not recall anyone from the Township of Kingston attendin alone makingsuggestions with regard to policy. Maybe once again the public should be told that the City operates the airport because the Township of Kingston was not interested in a joint venture. The airport will be used until Transport Canada obtains an alternative site. There was a suggestion made that many things that happened there were the fault of the administratio He said that he took exception to this statement and to the statement that City Council did not know what was going on. He believed that Council should meet with this group.

Alderman Lampropoulos said that he was pleased that the City Treasurer had reported that the City could end the year with a modest surplus rather than the anticipated deficit.

Alderman MCarthur said that he had attempted to find out for a person how to contact someone in charge of the Cataraqui graveyard but had been unable to do so.

Mayor Keyes said that Mr. Howard, who lives on the grounds, is the hired Administrator.

Alderman Webb said that there is a report from the City Solicitor with regard to the chip truck. He had looked into the matter and it appeared that there was not much the City could do.

ADJOURNMENT

Moved by Ald. Hawkins,
Seconded by Ald. McArthur,

That Council do now adjourn.

CARRIED

Council adjourned at 10:10 p.m.

(L.S.)

(Signed) *M.C. Healy,*
City Clerk

(Signed) *Ken Keyes*
Mayor

CITY COUNCIL MEETING NO. 43

The Regular Meeting of City Council will be held on Monday, October 29th 1979, commencing with an "In Camera" session from 7:00 to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
NOV - 6 1979

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE " IN CAMERA "

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

(Council Chamber)

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 41 held on October 17th 1979 and Meeting No. 42 held on October 22nd 1979 be confirmed.

COMMUNICATIONS

Has been Referred to the Commissioner of Works

(630) From the Ontario Good Roads Association advising of their 1980 Convention which will be held at the Royal York Hotel in Toronto, February 25, 26 & 27, 1980. The Convention Programme will include the following matters:

(1) Presentation and Consideration of Resolutions

If the City of Kingston has a road problem of general interest, it is requested that the problem be expressed in a resolution and that such resolution be forwarded to the Secretary of the Good Roads Association by January 11, 1980.

(2) Long Service Recognition

The City of Kingston is requested to advise of any employee who has served for 40 or more years in the cause of good roads so that such employee may receive a Long Service Certificate. An employee who has served 30 years but less than 40, and is retiring during the coming year is also eligible for a certificate of Long Service.

File No. 16-4.1

COMMUNICATIONS (Cont'd)

To be Referred to the Planning Board

(631) From the Frontenac Research Foundation commenting on the cause of the A-zone building addition problem.

(Note: Copy of letter has been distributed to all members of Council)

File No. 25-2

To be Filed

(632) From the Hon. Keith Norton thanking the City for a copy of the City's resolution (R.101(a) 79) endorsing the Borough of Scarborough's resolution concerning the Energy Rate for Street Lights.

File No. 19-7

To be Referred to the City Treasurer and the P.U.C.

(633) Copy of a letter from the Ministry of Transporation and Communications acknowleding receipt of the City of Kingston's request for subsidy payment for public transit assistance in the amount of $126,874.42 and advising that this has been checked and forwarded for payment of subsidy by their General Accountant.

File No. 17-11.2

To be Referred to the Chief Administrative Officer and the Parks & Recreation Commissioner

(634) From the Corporation of the City of Thunder Bay advising that the 1981 Jeux Canada Summer Games will be held in Thunder Bay in August, 1981 and requesting financial assistance from the City of Kingston. It is expected that some 3,600 young Canadians will participate in the sporting activities which include soccer, track and field, swimming, basketball, etc.

File No. 3-1.7

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 107 of the Rideaucrest Home Committee be received and adopted.

That Report No. 108 of the City of Kingston Planning Board be received and adopted.

That Report No. 109 of the Board of Management for the Grand Theatre be received and adopted.

That Report No. 110 of the Chief Administrative Officer be received and considered.

REPORT NO. 107

October 22, 1979.

To the Mayor and Aldermen:

The Rideaucrest Home Board of Management reports and recommends as follows:

1. That, as recommended by the Administrator, the following budget transfers be approved:

	Decrease	Increase
Acct. #9931 (Housekeeping Salaries)	$5,000.	
Acct. #9951 (Building Salaries)		$5,000.
Acct. #9942 (Laundry - Purchased Service)	3,000.	
Acct. #9953 (Buildings - Heating)		3,000.
Acct. #9980 (Foster Home Care Service)	3,000.	
Acct. #9959 (Building - Repairs)		3,000.
	$11,000.	$11,000.

2. WHEREAS the number of residential care days projected for Rideaucrest Home for the year 1979 has not been as high as previously estimated; and

WHEREAS this would cause a serious shortfall in funds receivable by the Home for residential care;

THEREFORE BE IT RESOLVED THAT, as recommended by the Administrator, the per diem rate for residential care at Rideaucrest Home for the Aged be increased from $22.50 to $25.00, effective October 1st, 1979.

(Ald. Gerretsen opposed)

Respectfully submitted,

CHAIRMAN

REPORT NO. 108

October 24, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. WHEREAS on April 24, 1978 Council passed By-Law No. 9235, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston' (Rezone 0.6 Acre Parcel of Land Located on the East Side of Montreal Street, North of Railway Street, from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family)"; and

WHEREAS in addition to A (One and Two Family) Residential zone uses By-Law No. 9235 also permitted the existing bottling plant and warehouse subject to the C2 (Commercial) regulations; and

WHEREAS the owner of the subject property filed an objection to his use being made subject to the provisions of the C2 (Commercial) zone; and

WHEREAS on May 31, 1979 an Ontario Municipal Board hearing was held with respect to Zoning By-Law No. 9235; and

WHEREAS the decision of the Ontario Municipal Board dated July 9, 1979 approved that portion of By-Law No. 9235 dealing with permitted uses but referred the matter of lot occupancy and setbacks back to the City for reconsideration so that a less restrictive amending by-law could be prepared;

THEREFORE BE IT RESOLVED THAT:

a) By-Law No. 9235 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 0.6 Acre parcel of land located on the east side of Montreal Street, north of Railway Street, from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family) Residential)", passed on April 24, 1978, be repealed.

b) By-Law No. 8499 be amended as follows:

i) By amending Zoning Map No. 15 so as to rezone that parcel of land consisting of approximately 0.24 ha located on the east side of Montreal Street, north of Railway Street, as shown on a copy of Zoning Map No. 15 which is attached hereto as Schedule 'A' from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family) Residential.

ii) By adding as section 153 the following:

"153. On the approximately 0.24 ha parcel of land located on the east side of Montreal Street, north of Railway Street and designated A.153 on a copy of Zoning Map No. 15 attached to and forming part of By-Law No.79-250, as Schedule 'A',

1. (Cont'd)

(a) the permitted uses shall also include a bottling plant for soft drinks and associated warehouse and associated retail facilities,

(b) the maximum total building floor area for all buildings shall be 1440.0 m^2 with a maximum of 20% of that total floor area to be permitted as a second storey,

(c) there shall be no regulations regarding:

i. minimum front yard
ii. minimum side yard
iii. minimum rear yard
iv. off-street parking spaces
v. off-street loading spaces
vi. maximum percentage of lot coverage
vii. accessory buildings.

(See By-Laws No. 1 and 2 : No. 79-249 and No. 79-250).

2. WHEREAS By-Law No. 8820 established an administrative procedure with regard to building permit applications subject to By-Law No. 7818; and

WHEREAS this procedure was adopted by Council on December 18, 1975 (Clause 4, Report No. 121) and involved recommendations from the Committee on Parks and Recreation, which no longer exists and it is therefore desirable to revise the procedure;

THEREFORE BE IT RESOLVED THAT the aforementioned procedure be amended as follows:

(1) Council shall direct the Chief Building Official to refer all building permit applications which are subject to this by-law to the Department of Planning and Urban Renewal.

(2) The Director of Planning and Urban Renewal shall discuss each application with the Commissioner of Parks and Recreation, taking into consideration the Official Plan and the Parks Development Plan.

(3) The Director of Planning and Urban Renewal shall refer each application to the Planning Board, together with the recommendation of the Commissioner of Parks and Recreation.

(4) The Planning Board shall recommend to Council as to whether five percent in land or cash is required.

2. (Cont'd)

(5) When Council has adopted a recommendation to:

a) require land, and when a deed for such land has been received by the City, the Chief Building Official shall be informed and may issue the building permit;

In the case of conveyance of land, a cash refundable deposit, based on a value for the building site of $2,000. will be accepted until such time as the deed for the land is received;

- or -

b) require cash, the Department of Planning and Urban Renewal shall obtain a letter of opinion from a qualified land appraiser as to the value of the building site and advise the applicant. Upon receipt of a certified cheque for five percent of the value of the building site by the Department of Planning and Urban Renewal, the Chief Building Official shall be informed and may issue the building permit.

(6) The City shall require that an application for a building permit to which the subject by-law applies be accompanied by a plan of survey showing the proposed location of the building which is the subject of the application and all other structures, buildings or associated facilities on the subject parcel.

(7) In order to obtain exemption from this by-law under Section 35b of The Planning Act, an applicant must submit an affidavit declaring that the parcel is exempt, giving details as to why this is so.

(8) In order to obtain a valuation which excludes the land value of deteriorated residential units being replaced by new units, an applicant must submit a written report on the condition of the deteriorated units.

3. That, pursuant to Section 37(a) of The Planning Act, R.S.O. 1970 as amended, a by-law be presented to Council to designate the City of Kingston as an area of demolition control, so that no person shall demolish the whole or any part of any residential property unless he is the holder of a demolition permit issued by City Council.

(See By-Law No.3 : 79-251).

4. WHEREAS Campeau Corporation has applied to amend Zoning By-Law No. 8499 with respect to an approximately 12.0 ha (29.6 acres) parcel of land located on the east side of Division Street north of Weller Avenue in order to permit the construction of a shopping centre; and

4. (Cont'd)

WHEREAS Schedule A-1 to the Official Plan (Land Use and Major Streets) designates the subject area as commercial and Section 4(41) (General Principles and Policies) states that Urban Commercial uses "shall be concentrated in the Central Business District, (C.B.D.) and in commercial complexes preferably abutting on Bath Road, Princess Street, Division Street and Montreal Street with easy and direct access to these arteries "; and

WHEREAS the evidence of the recent market studies suggests that a community size shopping centre at this location would not have a significant effect on retailing in the C.B.D. yet would definitely offer a long overdue convenient commercial service to the surrounding residential area; and

WHEREAS on March 20, 1979 Planning Board recommended that the concept of developing a community size shopping centre with a total retail area of 180,000 sq. ft. at this location be endorsed subject to the successful completion of discussions regarding the assumption of costs for works and related matters, siting, architecture and vehicular access; and

WHEREAS on August 14, 1979 this recommendation was endorsed by Council; and

WHEREAS Campeau Corporation has now agreed to satisfy the preliminary concerns of the City associated with this development proposal;

THEREFORE BE IT RESOLVED that By-Law No. 8499 be amended as follows:

A. By amending Zoning Map No. 3 so as to rezone the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue as shown on a copy of Zoning Map No. 3 which is attached hereto as Schedule 'B' from Zones C2, C2.79 and C2.101 to Zone C2.101 Commercial.

B. By amending Section 101 so that it shall read in full as follows:

"101. On the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue and designated C2.101 on Zoning Map No. 3 attached to and forming part of By-Law No. 79-253 as Schedule 'A':

a) the permitted uses shall only be as follows:

i) Banks,

ii) Bowling Alleys, Theatres, Auditoriums,

iii) Brewers' Retail Store and Liquor Stores,

iv) Motels or Hotels,

v) Municipal publicly owned utility and government buildings or facilities and telephone exchanges,

4. (Cont'd)

B. (a) (cont'd)

vi) Indoor and outdoor athletic and sports facilities including open or enclosed stadiums,

vii) Accessory uses incidental solely to any of the above uses which may include restaurants, lunch counters and retail (including retail stores selling general services),

viii) A shopping centre containing the following:

a) a food store with a maximum gross leasable area of 3511 m^2,

b) a department store with a maximum gross leasable area of 6940 m^2,

c) additional retail stores, including offices with a combined maximum gross leasable area of 6270m^2 provided that no one such retail store has a maximum gross leasable area exceeding 929.0m^2.

b) For the purpose of this section only the area that is zoned C2.101 shall be considered to be one lot.

c) The Minimum Required Front Yard shall be 9.0 m.

d) The Minimum Required Off-Street Parking spaces for a shopping centre shall be 5 spaces for every 93.0m^2 of gross leasable area.

e) Off-Street Parking may be permitted in a required side yard.

-and further-

that upon third reading being given to the By-Law, the City Clerk is hereby directed to proceed pursuant to the provisions of Ontario Regulation 597/79.

(Ald. Knapp, Ald. Miller, Mr. Marans opposed).

(See By-Law No. 5 : 79-253).

(Note: Under the above recently established regulations, under Section 35 of The Planning Act, the by-law will come into effect immediately following the 21 day appeal period if no objections are lodged with the City Clerk).

5. That, as recommended by the Development Control Committee, the following plans submitted by Messrs. Sands, Pattenden, Gay & Kemp, for an addition to a professional office building at the corner of Bagot and Barrack Streets:

5. (Cont'd)

Dwg. SK2 - Elevations - Scale 1:100 -
Aug. 31, 1979

Dwg. SK1 - Site & Floor Plans - Scale 1:100
Aug. 31, 1979

be approved, subject to the owner entering into a Site Plan agreement which shall include the following conditions:

a) that development shall be in accordance with the above listed plans;

b) that all parking areas and vehicular access routes shall be paved;

c) that a landscaping plan shall be submitted within three months of approval of this development by Council and implemented within one year of the issuance of the building permit;

d) that any new sanitary sewer connection will require a connection agreement with the City;

e) any new storm sewer connection will require Council approval and will have to be to the Barrack Street sewer;

f) the planter location as shown on drawing No. SK1 along Bagot Street shall be revised so that it does not encroach onto the street allowance;

g) the owner shall sign upon presentation, local improvement petitions for the reconstruction of sidewalks abutting the site on Barrack and Bagot Streets;

h) a new 1"Ø copper water service shall be installed at the owner's cost;

i) the location and screening of any exterior air conditioning or mechanical units shall be subject to City approval;

j) the design and location of exterior light fixtures shall be subject to City approval;

k) that the interior floor layout as shown on Dwg. SK-1 shall be exempted from the requirements of this agreement;

l) that prior to the issuance of a building permit grading and servicing drawings to the satisfaction of the Commissioner of Works shall be submitted;

m) that prior to issuance of the building permit final approval of zoning by-law amendment No. 79-234 shall have been obtained pursuant to Section 35 of The Planning Act.

That, as recommended by the Development Control Committee, the following plans submitted by B.D.C. Limited, for a one-storey terminal for courier service located at 121 Duff Street:

Plan A-1 - Site Plan - Scale 1"=20' - August 1979

Plan A-3 - Elevations - Scale 1/8"=1/0" - August, 1979

6. (Cont'd)

be approved, subject to the owner entering into a Site Plan Agreement, which shall include the following conditions:

a) *that development shall be in accordance with the above-listed plans;*

b) *that all vehicular access routes and parking areas shall be paved;*

c) *that the location and screening of any interior air conditioning or mechanical units shall be subject to City approval;*

d) *the location and design of all exterior light fixtures shall be subject to City approval;*

e) *that a landscaping plan shall be submitted within three months of the approval by Council and implemented within one year of the issuance of the building permit;*

f) *that the owner shall sign upon presentation, local improvement petitions for the construction of curb, gutter, boulevard, sidewalk and storm sewer in Duff Street abutting the site.*

7. WHEREAS on August 22, 1979, the Jehovah's Witness Congregation of Kingston entered into a development control agreement with the City of Kingston with respect to the construction of a church building on Butler street; and

WHEREAS it was a condition of such agreement that a landscaping plan be submitted for the approval of the City within three months and implemented within one year of issuance of the building permit; and

WHEREAS a landscaping plan has now been submitted in fulfilment of this condition;

THEREFORE BE IT RESOLVED THAT the following landscaping plan

L1 - Landscaping - Dated October 25, 1979

be accepted in fulfilment of the abovementioned condition of development control, subject to the following conditions:

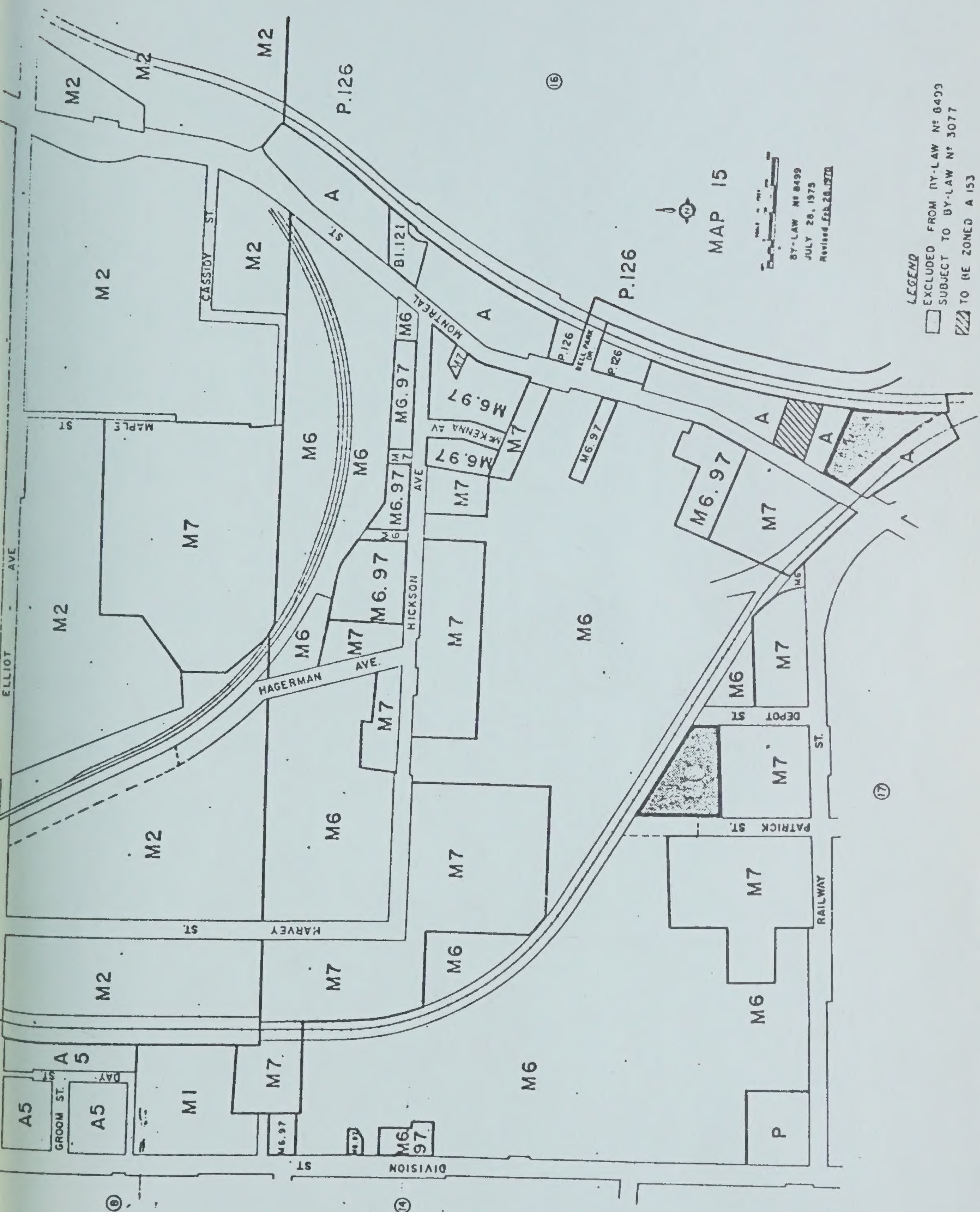
a) *that approval shall be subject to the planting of an evergreen buffer strip surrounding the parking area; and*

b) *that the number of evergreens planted around the said parking area shall be subject to the approval of the Parks and Recreation Department.*

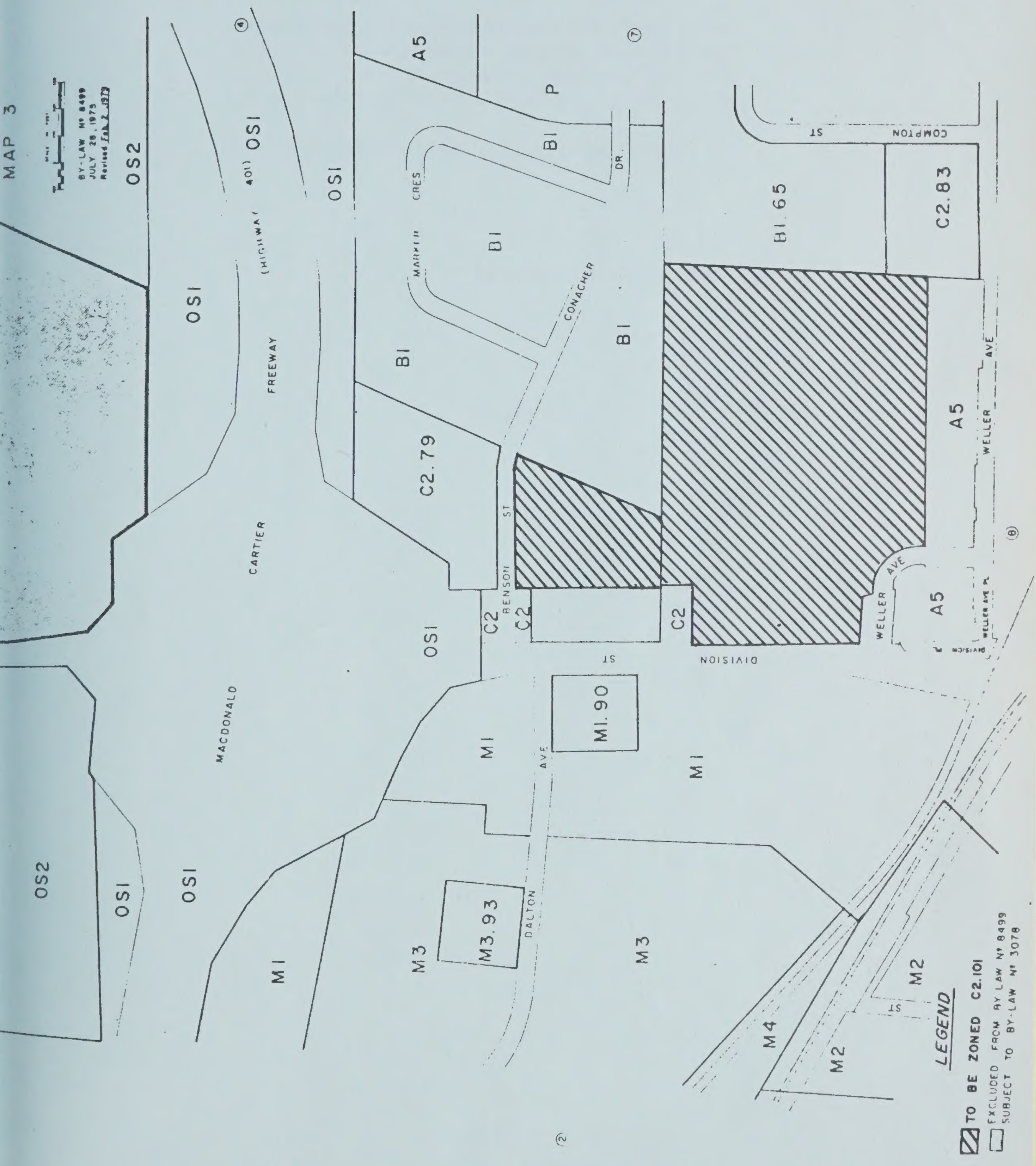
Respectfully submitted,

CHAIRMAN

Schedule 'A' to Report No. 108
(Page 1)


MAP 15
BY-LAW Nº 8499
JULY 28, 1975
Revised Feb 28, 1976
LEGEND
EXCLUDED FROM BY-LAW Nº 8499
SUBJECT TO BY-LAW Nº 3077
TO BE ZONED A 153
MONTREAL ST.
CASSIDY ST.
MAPLE ST.
ELLIOT AVE.
HICKSON AVE.
McKENNA AV.
BELL PARK DR.
HAGERMAN AVE.
HARVEY ST.
DAY ST.
GROOM ST.
DIVISION ST.
DEPOT ST.
PATRICK ST.
RAILWAY ST.
M2
M6
M7
M6.97
A
A5
M1
P
P.126
B1.121
⑧
⑭
⑯
⑰

Schedule 'B' to Report No. 108
(Page 1)


MAP 3
BY-LAW Nº 8499
JULY 28, 1975
Revised Feb 2 1977
OS2
OSI
OSI
(HIGHWAY 401) OSI
FREEWAY
CARTIER
MACDONALD
OSI
A5
P
BI
MARKHAM CRES
BI
CONACHER DR.
BI
BI
C2.79
BENSON ST
C2
C2
C2
OSI
DIVISION ST
BI.65
C2.83
COMPTON ST
A5
WELLER AVE
A5
WELLER AVE
WELLER AVE PL
DIVISION PL
MI
MI.90
MI
AVE
M3
M3.93
DALTON AVE
M3
MI
OS2
OSI
OSI
M4
M2
M2
ST
④
⑦
⑧
②
LEGEND
▨ TO BE ZONED C2.101
☐ EXCLUDED FROM BY LAW Nº 8499 SUBJECT TO BY-LAW Nº 3078

REPORT NO. 109

To the Mayor and Aldermen: October 18th, 1979.

The Board of Management of the Grand Theatre reports and recommends as follows:

1. That Invoice #79-42 dated September 26th, 1979, in the amount of $42,941.19, prepared and submitted by Smith, Mill and Ross, Architects, be paid.

   NOTE: Authorization for expenditure of these funds is set out in Agreement between the City and Smith, Mill and Ross dated February 23, 1976 and appended as Schedule "A" to By-law 8622.

   (See also Schedule "A", 2 pages attached)

Respectfully submitted,

Chairman.

Schedule "A" to Report No. 109
(Page 1)

SCHEDULE "A"-1

FILE
#7-1.1-2

Smith, Mill & Ross
Architects

11 Princess Street, Kingston, Ontario K7L 1A1 • Telephone (613) 546-1175

Harry P. Smith, MRAIC
F. Thomas Mill, MRAIC
Michael H. Ross, MRAIC

September 26th, 1979.

Corporation of the City of Kingston,
City Hall,
Kingston,
Ontario.
K7L 2Z3

Attention: Mr. M.C. Healy, City Clerk

Re: Alterations and Additions to Grand Theatre, Kingston, Ontario

Dear Mr. Healy:

We are enclosing herewith our Invoice #79-42, in the amount of $42,941.19, in connection with the above contract. By way of explanation, you will note that we have calculated the working drawings' fee on the basis of the tender for this work in accordance with our agreement with the City. The supervision fee is based on the actual cost of the finished contract. You will note that we have absorbed the cost of administering the furniture contract.

We have not billed for the two major re-draws nor the considerable amount of revisions necessary to reduce the tender by 1/3. We are currently analyzing the effect of this financial burden on our firm and will shortly be advising you of the results.

Yours very truly,

F. Thomas Mill

F. Thomas Mill. per

For:
SMITH, MILL & ROSS, ARCHITECTS

FTM/cb
Encl.

ty of Kingston
ECEIVED
OCT 1 1979
PARTMENT OF
E CITY CLERK

Schedule "A" to Report No. 109
(Page 2)

SCHEDULE "A"

Smith, Mill & Ross
Architects

11 Princess Street, Kingston, Ontario K7L 1A1 • Telephone (613) 546-1175

Harry P. Smith, MRAIC
F. Thomas Mill, MRAIC
Michael H. Ross, MRAIC

September 26th, 1979.

Corporation of the City of Kingston,
City Hall,
Kingston, Ontario.

Attention: Mr. M. Healy, City Clerk

In Account With: Smith, Mill & Ross,
11 Princess Street,
Kingston, Ontario.

Re: Alterations and Additions to Grand Theatre, Kingston, Ontario.

To professional services:

Fees:

Phase I - 12% of $55,100 (complete)		$ 6,612.00
Phase II - 12% of $141,200.00 (complete)		$16,946.40
Phase III & IV - 75% of 12% of $835,545.00 (Tender)		$75,199.05
		$98,757.45
Invoiced and Paid to Date (Inv. #78-25)	-	$75,148.82 ✓
		$23,608.63

Supervision:

25% of 12% of $644,418.72 (Final Contract)	-	$19,332.56
NOW DUE..		$42,941.19

REPORT NO. 110

October 29, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That the Ministry of Transportation and Communications be petitioned for interim payment of subsidy under The Public Transportation and Highway Improvement Act on expenditures made in the year 1979 for the period January 1st to September 30th as follows:

	Construction	Maintenance	Total
Roads or Streets	$705,464.00	$1,345,712.	$2,051,176.

2. That, as recommended by the Commissioner of Public Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of the asphalt pavement in the laneway from Sydenham Street to Clergy Street between Johnson Street and William Street under the provisions of Section 7 of the Local Improvement Act, as follows:

Total Estimated Cost	$8,000.00
Owners Share	7,203.51
City Share	796.49
Debenture Amount	8,000.00.

and that the following Capital Budget transfer be approved:

	INCREASE	DECREASE
Local Improvements - Sidewalks		
Miscellaneous - Bath Road n/s from the CN spur to the Bridge	—	$8,000.
Local Improvements - Roads, etc.		
Laneway from Sydenham Street to Clergy Street	$8,000.	—

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "A", 1 Page.)

(See By-Law 4 ; No. 79-252)

3. That, as recommended by the Commissioner of Works, pursuant to Section 62(e) of By-Law No. 1, the holdback (2½%) in the amount of $14,433.83, Contract No. 78-2W, be released to the Contractor, Donald A. Foley Ltd.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "B", 1 Page.)

4. That, as recommended by the Commissioner of Works, pursuant to Section 62(e) of By-Law No. 1, the holdback in the amount of $5,676.47, Contract No. 78-3W, Donald A. Foley Ltd. be released with the amount of $2,000.00 being retained for the sidewalk deficiencies.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "C", 1 Page.)

5. That, as recommended by the Commissioner of Works, the rental rate for trucks for winter control and other municipal uses be approved as follows:

SINGLE AXLE	
10 yds. capacity	$10.50
13 yds. capacity	13.50
TANDEM AXLE TRUCKS	
15 yds. capacity	$16.00
19 yds. capacity	20.25

and that the minimum liability insurance be $500,000.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "D", 3 Pages.)

6. That, as recommended by the Chief Administrative Officer, a grant of $300.00 be given to the Parr Christie Singers to assist in outfitting their members, monies to be made available from "Finance Contingencies".

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "E", 3 Pages.)

7. That, as recommended by the Chief Administrative Officer, a grant of $500.00 be given to the Kingston Jaycees to assist with the costs of the annual Santa Claus Parade, said monies to be provided from "Finance Miscellaneous."

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "F", 2 Pages.)

8. That, as recommended by Mayor Keyes, the offer of the La Salle Chapter of the I.O.D.E. to hand over to the City the Cenotaph (Cross of Sacrifice) erected by the I.O.D.E. in Macdonald Park on the south side of King Street be accepted.

(Note: A copy of the letter from the I.O.D.E. is attached hereto as Schedule "G", 1 Page.)

9. That the quotation of McGinnis & O'Connor Limited, in the amount of $13,354.40, for the construction of the Gorsline parking lot expansion, be accepted, being the lowest quotation received.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "H", 1 Page.)

10. That Elliot Avenue be designated as a through street from Division Street to LeRoy Grant Drive, so that Stop signs may be installed on the intersecting streets.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "I", 1 Page.)

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer.

Schedule "A" to Report No. 110
(Page 1)

MEMORANDUM

TO: Mr. R.J. Hamilton
Chief Administrative Officer

DATE: October 24, 1979

SUBJECT: Asphalt pavement (3.7m wide) in laneway from Sydnham St. to Clergy St. between Johnson St. and William St.

ORIGIN: A sufficiently signed petition for the above mentioned has been received.

ANALYSIS: This City lane is used for vehicle access to properties fronting on Johnson St. and William St. and for garbage collection. Construction of a pavement as a Local Improvement will make it possible for the City to provide maintenance.

FINANCIAL: There was no allotment made in 1979 Capital budget. A transfer of funds will be necessary. A petition for a sidewalk on Bath Rd. n/s from the CN spur to the bridge has not been signed yet and it is recommended that this be deferred for the time being.

RECOMMENDATION: That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of the asphalt pavement in the Laneway from Sydnham St. to Clergy St. between Johnson St. and William St. under the provisions of Local improvement act. (Section 7)

Total estimated cost	$8,000.00
Owners share	$7,203.51
City share	$ 796.49
Debenture amount	$8,000.00

and that the following transfer be approved.

	decrease	increase
Bath road sidewalk	$8,000.00	
Laneway from Sydnham to Clergy		$8,000.00

D. Graham, P. Eng.
Commission of Works

DG:hh

Schedule "B" to Report No. 110
(Page 1)

MEMO:	Mr. R.J. Hamilton Chief Administrative Officer
DATE:	October 24, 1979
SUBJECT:	Contract 78-2W - Holdback Release Various projects were included in this contract, the major ones being Portsmouth Ave. Fairview to Howard and Division St. in vicinity of Elliot Ave.
ORIGIN:	Public Works Department
ANALYSIS:	The M.T.C. audit has been received and it is now in order to release the 2½% held pending receipt of the audit.
EXISTING POLICY:	Council approves release of holdback.
FINANCIAL:	The remaining holdback of 2½% on contract 78-2W is $14,433.83.
RECOMMENDATION:	That since the audit report does not require any adjustment in payment the holdback (2½%) in the amount of $14,433.83 be released to the Contractor, D.A. Foley Ltd.

D. Graham, P. Eng.
Commission of Works

DG:hh

Schedule "C" to Report No. 110
(Page 1)

MEMO: Mr. R.J. Hamilton
Chief Administrative Officer

DATE: October 24, 1979

SUBJECT: Contract 78-3W - Holdback Release
Queen St. Reconstruction King to Bagot

ORIGIN: Public Works Department

ANALYSIS: An interim final was processed at the end of 1978 with a holdback retained of 2.5% pending MTC audit as well as funds to cover asphalt, sidewalk and other misc. deficiencies. In August the funds held for low asphalt tests were released in the amount of $4542.01 following the placing of a partial overlay. Now the audit has been received and a final payment has been prepared.

The sidewalk deficiencies still exist and action will be taken in 1980 to correct these.

EXISTING POLICY Council approves release of holdback.

FINANCIAL: The present holdback is in the amount of $7,676.47. All but $2,000.00 to cover the sidewalk deficiencies should be released.

RECOMMENDATION: That since the audit report has been received and all deficiencies except the sidewalk deficiencies have been satisfactorily corrected holdback in the amount of $5,676.47 be released to the Contractor, D.A. Foley Ltd., $2,000.00 being retained for the sidewalk deficiencies.

D. Graham, P. Eng.
Commissioner of Works

DG:hh

Schedule "D" to Report No. 110
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 25, 1979

TO: Mayor and Members of Council

RE: WINTER TRUCKING RATES

We have reviewed the attached report with Mr. Graham and can comment as follows:

1. If we apply the principle that the rate for rental of trucks should be directly related to the capacity of the truck, the rates as suggested are in order based on mathematical calculations.
2. Mr. G. de Lugt further suggests that the distance factor will probably be the same for each vehicle.
3. The suggested rates as per the report give effect to the above factors and should be approved by Council for 1979-1980.

R.J. Hamilton
Chief Administrative Officer

Schedule "D" to Report No. 110
(Page 2)

MEMO TO: Mr. R.J. Hamilton, Chief Administrative Officer

DATE: October 22, 1979

SUBJECT: Winter Control - Rental Rates for Trucks

ORIGIN: Public Works Department

ANALYSIS: At this time each year the city through a notice in the paper offers an hourly rate for the rental of trucks and invites those interested to register their trucks at the City Yard. In addition, all those who made their trucks available last winter are also notified by mail.

Attached as schedule 1 is a memorandum from Mr. deLugt Deputy City Engineer.

The proposed rate structure appears fair in that the single axle trucks will receive about $1.05/yd. and the tandem axle trucks $1.07/yd.

The increase in the insurance is insignificant as far as increased cost is to the truckers and it appears that many trucks already have this coverage.

RECOMMENDATIONS: That the following rental rate for trucks for winter control and other municipal uses be approved:

SINGLE AXLE

10 yds. capacity	$10.50
13 yds. capacity	$13.50

TANDEM AXLE TRUCKS

15 yds. capacity	$16.00
19 yds. capacity	$20.25

and that the minimum liability insurance be $500,000.

D. Graham, P. Eng.
Commissioner of Works

Schedule "D" to Report No. 110
(Page 3)

MEMORANDUM

TO: Mr. D. Graham
Commissioner of Works

DATE: October 11, 1979

RE: WINTER TRUCKING RATES

Last year's hourly rates for trucking of snow were as follows:

SINGLE AXLE TRUCKS	
10 yards capacity	$10.50
13 yards capacity	$12.50

TANDEM AXLE TRUCKS	
15 yds capacity	$16.00
19 yds capacity	$18.75

The time taken per trip is approximately the same for all trucks. With our snowblowers, we can load trucks in a matter of a minute or so and nearly all of the hourly charge is therefore paid in respect of hauling time. This means that the rate for the trucks should be based on their capacity. By comparison the tandem trucks could even be slightly higher rewarded, as they are less likely to get stuck on account of their larger load bearing surface. For these reasons, I propose that for the coming winter season, the truck rates be revised as follows:

SINGLE AXLE TRUCKS	
10 yds capacity	$10.50 (as before)
13 yds capacity	$13.50 (8% increase)

TANDEM AXLE TRUCKS	
15 yds capacity	$16.00 (as before)
19 yds capacity	$20.25 (8% increase)

Please note that of the various trucks registered last year, there were two trucks with 10 yds capacity, seven with 13 yds capacity, one with 15 yds capacity and eighty-three with 19 yds capacity. The proposed 8% increase would therefore apply to 97% of the trucks and would benefit all trucks with enlarged bodies.

In our previous specification we stipulated that truckers were to have a minimum of $300,000 liability insurance. I suggest this requirement should be increased to $500,000 insurance.

G. de Lugt, P. Eng.
Deputy City Engineer

/jc

Schedule "E" to Report No. 110
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

October 23, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: GRANT - PARR CHRISTIE SINGERS

We are forwarding herewith a request for a Grant payable to the Parr Christie Singers in the amount of $300.00 to assist in outfitting their members.

Council will note that this requests suggests a matching grant from Wintario and as such we would recommend that this said amount be given to this group who certainly make a contribution to the City of Kingston that warrants this attention.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

CITY COUNCIL MEETING NO. 43 October 29, 1979

Schedule "[illegible]" to Report No. 110 (Page 2)

COPY FOR:

Mr. R. J. Hamilton

~~file~~ Council
ledge

FILE
7-3

Council - which has been
Referred to the C.A.O.
Oct 22/79

October 5th, 1979

Mayor K. Keyes & Members of Council
City of Kingston
KINGSTON, Ontario

Dear Mr. Keyes:

This is a request on behalf of the Parr Christie Singers who are conducting a fund-raising campaign for the purchasing of new apparel (blazers, slacks, skirts). Throughout the years, while most of our concerts have been performed without charge, we have managed to buy our own clothing. As costs have risen, we can no longer maintain our fine appearance before the public. Therefore we are asking for help from our community.

Through the efforts of the Honourable Keith Norton, M.L.A. for Kingston, we have been able to obtain a Wintario Grant, under the condition that we match the amount from our own resources. Part of this has been raised by the members who have advanced their dues over a two-year period, a garage sale, and a home-bake sale, as well as other projects which are being planned for the future.

We would appreciate a grant from you in the amount of $300.00 as your contribution towards this community-oriented group. We have always put forward the best interest of our municipalities in our performances, and trust that this will be taken into consideration in your decision. We await, with anticipation, your favourable reply.

Gratefully yours,

THE PARR CHRISTIE SINGERS

Keith H.

Keith Hewson
Ways and Means

38 Hyland Court
Kingston, Ontario
K7M 1G9

of Kingston
CEIVED
OCT 17 1979
RTMENT OF
CITY CLERK

OCT 1[illegible] 1979

Copy to:
Mr. Hamilton
Mr. [illegible]

Schedule "E" to Report No. 110
(Page 3)

PARR CHRISTIE SINGERS

Breakdown of Costs etc.

Cost of Outfits

27 Jackets	@ $100 each	= $2,700.
20 Dresses	@ $100 each	= 2,000.
20 Skirts	@ $ 20 each	= 400.
10 Pants	@ $ 30 each	= 300.
Total Cost		$5,400.

Projected Funds

Municipal Grants	$1,000.
Program Sales + Dues	1,000.
Donations: Patrons	200.
Service Clubs	500.
Total	$2,700.
Wintario Grant	2,700.
Grand Total	$5,400.

Schedule "F" to Report No. 110
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

October 24, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: GRANT - KINGSTON JAYCEES

We are forwarding herewith a request for a Grant payable to the Kingston Jaycees for their Santa Claus Parade.

We forwarded this item to Mr. Cousens who replied as follows:

> "This item is not spelled out in Budget. We have been giving this grant for years and usually charge it to 'Finance Misc.'. Sufficient funds are available."

Based on Mr. Cousens comments and the past experience, we would recommend that Council approve this grant in the amount of $500.00 at this time and charge to Finance Misc. as Mr. Cousens has suggested.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "F" to Report No. 110
(Page 2)

OCT 22 1979

KINGSTON JAYCEES INC.

Mr R J Hamilton
C.A.O.
City of Kingston
City Hall

Dear Mr Hamilton

On behalf of the Kingston Jaycees, I am writing this letter to respectfully request the continuation of the annual $500.00 grant toward the Jaycee Santa Claus Parade to be held November 17th, 1979.

We run the parade on a very tight budget and any help that you could provide in this matter would be very much appreciated.

Yours faithfully

Colin Gibson

Colin Gibson
Solicitation Chairman
542-4955

CG:jc

October 22, 1979

Schedule "G" to Report No. 110
(Page 1)

Provincial Office
168 Jackson St. W.,
Hamilton 10

National Office
111 Eglinton Ave. E.,
Toronto 12

I. O. D. E.

PATRON
HER MAJESTY THE QUEEN

Recommend to Board Control Mtg.

La Salle Chapter, I.O.D.E.
C/O 355 Victoria St.
Kingston.

25 September, 1979.

His Worship the Mayor, Mr. Ken Keyes.

Dear Sir,

On behalf of the members of the La Salle Chapter of the I.O.D.E. I wish to approach the City Council with the proposal to hand over to the City, the Cenotaph erected by the I.O.D.E. on King Street.

It was one of the members of the Remembrance Day committee last year who suggested this to me and I was told that most of the military monuments have been turned over to the City and the members of the La Salle Chapter would be grateful if this could be done with our Cenotaph.

We look forward to hearing your comments on this proposal and hope that your reply will be favourable.

Yours faithfully,

Mildred J. Ireland Regent, La Salle Chapter.

Schedule "H" to Report No. 110
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: October 26th, 1979.

SUBJECT Gorsline Parking Lot Expansion - Paving

ORIGIN Traffic and Streets Department

ANALYSIS

1) Four quotations were received as follows:

McGinnis & O'Connor Limited	$13,354.40
Will-Mac Construction	14,461.00
Bennett Paving Limited	20,800.00
Public Works Department	26,000.00

2) The lowest quotation from McGinnis & O'Connor Limited is below cost estimate. McGinnis & O'Connor performance in the past has been very satisfactory.

3) McGinnis & O'Connor will commence work immediately and be completed within two weeks.

4) The Director of Purchasing agrees that the City accept the lowest quotation received.

EXISTING POLICY The lowest quotation is accepted unless there is reason for doing otherwise.

FINANCIAL CONSIDERATIONS The lowest quotation at $13,354.40 is well within estimates for the scope of work involved.

RECOMMENDATION That the quotation of McGinnis & O'Connor Limited, in the amount of $13,354.40, for the construction of the Gorsline parking lot expansion, be accepted, being the lowest quotation received.

K G Linseman

lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "I" to Report No. 110
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

ROM: K. G. LInseman, Administrator,
Traffic, Streets and yarking Department.

ATE: October 26th, 1979.

UBJECT Traffic Control - Elliot Avenue, Division Street to LeRoy Grant Drive.

RIGIN Traffic and Streets Department.

NALYSIS

1) Although traffic volumes are low at the present time, traffic volumes are increasing.
2) Elliot Avenue functions as a thoroughfare. It would be advisable to install Stop signs at the intersections along Elliot Avenue.

LTERNATIVE Due to excellent visibility, "Yield" signs would be adequate as a temporary measure, but would have to be eventually replaced with Stop signs.

ECOMMENDATION That Elliot Avenue be designated as a through street from Division Street to LeRoy Grant Drive, so that Stop signs may be installed on the intersecting streets.

K G Linseman
K. G. Linseman, P.Eng., M.Sc.,
Administrator.

k

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTION

BYLAWS

(A) That By-Laws 1 to 5 & 10 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Law 5 & 10 their Third Reading.

(C) That By-Laws 5 to 10 be given their Third Reading.

(1) A By-Law to Repeal By-Law No. 9235, "A By-Law to Amend By-Law No. 8499, Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston'(Rezone 0.6 Acre Parcel of Land Located on the East Side of Montreal Street, North of Railway Street from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A. 153 (1 and 2 family) Residential)."

FIRST & SECOND READINGS) Proposed No. 79-249)
Clause 1(a), Report No. 108, 1979

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.24 ha parcel of Land on East Side of Montreal Street, North of Railway Street, from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to Zone A.153 (One and Two Family) Residential).

FIRST & SECOND READINGS) Proposed No. 79-250
Clause 1(b), Report No. 108, 1979

(3) A By-Law to Designate the City of Kingston as an Area of Demolition Control Pursuant to Section 37 a of The Planning Act.

FIRST & SECOND READINGS Proposed No. 79-251
Clause 3, Report No. 108, 1979

(4) A By-Law to Authorize the Construction of an Asphalt Pavement in the Public Laneway from Sydenham Street to Clergy Street, between Johnson and William Streets, under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS Proposed No. 79-252
Clause 2, Report No. 110, 1979

BYLAWS (Cont'd)

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone 14.0 ha Parcel of Land on East Side of Division Street between Weller Avenue and Benson Street from Zones C2, C2.79 and C2.101 to Zone C2.101 Commercial (Community Size Shopping Centre)).

THREE READINGS
Clause 4, Report No. 108, 1979

Proposed No. 79-253

(6) A By-Law to Authorize the Widening of the Intersection of Montreal Street and Stephen Street (General Rate).

THIRD READING
City Council Meeting No. 30, 1979
and
Clause 9, Report No. 92, 1979

Proposed No. 79-162

(7) A By-Law to Authorize the Construction of a 400 mm Watermain on the East Side of Ontario Street from Clarence Street to Johnson Street Under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING
Clause 9, Report No. 86, 1979

Proposed No. 79-177

(8) A By-Law to Authorize the Execution of an Agreement with Terence J. Tait (Access and Sidewalk North of Bath Road West of Little Cataraqui Creek).

THIRD READING
Clause 14, Report No. 106, 1979

Proposed No. 79-241

(9) A By-Law to Authorize the Execution of an Amending Agreement with the Kingston Bus for the Handicapped (Purchase of Bus).

THIRD READING
Clause 9, Report No. 106, 1979

Proposed No. 79-247

(10) A By-Law to Confirm the Proceedings of Council at its meeting held on October 29, 1979.

THREE READINGS
CITY COUNCIL MEETING NO. 43, 1979

Proposed No. 79-254

UNFINISHED BUSINESS

ADJOURNMENT

CITY COUNCIL MEETING NO. 43

e Regular Meeting of City Council was held on Monday, October 29th
79, commencing with an "In Camera" session from 7:10 p.m. to 7:55 p.m. in
e Loyalist Room, City Hall, and continued in the Council Chamber
8:05 p.m. His Worship Mayor Keyes presided.

yalist Room)

L CALL

or Keyes, Ald. Bishop, Ald. Clark (arrived at 7:25 p.m.) Ald. Clements,
. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos,
. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins (14)

IITTEE OF THE WHOLE "IN CAMERA"

Moved by Ald. Clark,
Seconded by Ald. Gorham,

That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

CARRIED

ncil Chamber)

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the Committee of the Whole rise without reporting.

CARRIED

CALL

Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham,
Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur,
Miller, Ald. Tarnowecky, Ald. Timmins (14)

ES

by Ald. Miller
led by Ald. Hawkins,

he Minutes of Meeting No. 41 held on October 17, 1979 be amended to delete
Motion No. 6" the word, "Rise" and as amended be confirmed, and further,
he Minutes of Meeting No. 42 held on October 22, 1979 be confirmed.

CARRIED

ICATIONS

l consented to the addition of Communication Nos. 635 to 639.

Been Referred to the Commissioner of Works

30) From the Ontario Good Roads Association advising of their 1980 Convention which will be held at the Royal York Hotel in Toronto, February 25, 26 & 27, 1980. The Convention Programme will include the following matters:

(1) Presentation and Consideration of Resolutions

If the City of Kingston has a road problem of general interest, it is requested that the problem be expressed in a resolution and that such resolution be forwarded to the Secretary of the Good Roads Association by January 11, 1980.

(2) Long Service Recognition

The City of Kingston is requested to advise of any employee who has served for 40 or more years in the cause of good roads so that such employee may receive a Long Service Certificate. An employee who has served 30 years but less than 40, and is retiring during the coming year is also eligible for a certificate of Long Service.

COMMUNICATIONS (Cont'd)

Referred to the Planning Board

(631) From the Frontenac Research Foundation commenting on the cause of the A-zone building addition problem.

(Note: Copy of letter has been distributed to all members of Council)

ile No. 25-2

Filed

632) From the Hon. Keith Norton thanking the City for a copy of the City's resolution (R.101(a) 79) endorsing the Borough of Scarborough's resolution concerning the Energy Rate for Street Lights.

ile No. 19-7

Referred to the City Treasurer and the P.U.C.

633) Copy of a letter from the Ministry of Transporation and Communications acknowleding receipt of the City of Kingston's request for subsidy payment for public transit assistance in the amount of $126,874.42 and advising that this has been checked and forwarded for payment of subsidy by their General Accountant.

ile No. 17-11.2

Referred to the Chief Administrative Officer and the Parks & Recreation mmissioner

34) From the Corporation of the City of Thunder Bay advising that the 1981 Jeux Canada Summer Games will be held in Thunder Bay in August, 1981 and requesting financial assistance from the City of Kingston. It is expected that some 3,600 young Canadians will participate in the sporting activities which include soccer, track and field, swimming, basketball, etc.

le No. 3-1.7

Referred to the Mayor and the Chief Administrator Officer

5) From the Honourable Thomas L. Wells, Minister of Intergovernmental Affairs, enclosing a copy of Report of the Bureau of Municipal Research entitled, "Cost Saving Innovations in Canadian Local Governments" (a copy of which was received previously from B.M.R. and distributed to each member of Council) and notifying that Seminars on cost saving innovations will be held:

1) in Peterborough at the Red Oak Inn on November 9 and 10, 1979 to discuss fire protection, energy conservation, records management and inspection services; and

2) in Windsor at the National Traveller Hotel on November 23 and 24, 1979 to discuss garbage collection, welfare services, budgeting systems and cutting recreation costs.

(Note: 1) A telephone call has been received from the Ministry requesting an immediate answer as to participation in the seminars and apologizing for the lateness of this notice.

2) Copy of the Minister's letter has been distributed to all members of Council, and

3) Members of Council are requested to indicate to Mayor Keyes if they wish to attend a seminar).

No. 2-6

COMMUNICATIONS (Cont'd)

Filed

(636) From the Sudbury Region Disaster Relief Committee thanking the City of Kingston for its donation of $100.00.

File No. 7-3

(637) Copy of a letter to Mr. J.S. Melo, Ambassador Tavern, 1550 Princess Street, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Melo's application for a building addition in the following areas of the Tavern:

1. Unlicenced Banquet Room #1 - Second Floor - 108 persons
2. Unlicenced Banquet Room #2 - Second Floor - 70 persons

File No. 12-6

Referred to the Traffic, Streets & Parking Administrator

(638) From the Corporation of the Town of Valley East, Val Caron, Ontario requesting that the City of Kingston endorse the following resolution of the Town of Valley East:

> *"That this Committee recommends to Council that we petition M.T.C. to review the present policy of allowing school children to cross highways with more than two lanes, either board or disembark from the school bussess and that the M.T.C. reconsider legislation forbidding this practice and that the recommendation of this Council be that the children residing on their respective sides be boarded and discharged accordingly."*

ile No. 21-5

Referred to the Planning Board

(639) Application for zone change from Devinder Paul Singh, 783-785 Division Street, Kingston, requesting a zone change in part of Lot 4, north, concession west of the Great Cataraqui River, City of Kingston, County of Frontenac located at 783 Division Street, Kingston, from present zoning classification of M-6.97 (gas bar, body shop and furniture store, wholesale) to C.I. for the purpose of having a retail store in the area.

File No. 25-2

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

* * *

The Chairman reported that the following reports were considered in the Committee of the Whole:

Ald. Gerretsen presented Report No. 107 of the Rideaucrest Home Committee.

Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Report No. 107 of the Rideaucrest Home Committee be received and adopted, clause by clause.

REPORT NO. 107

October 22, 1979.

the Mayor and Aldermen:

The Rideaucrest Home Board of Management reports recommends as follows:

That, as recommended by the Administrator, the following budget transfers be approved:

	Decrease	Increase
Acct. #9931 (Housekeeping Salaries)	$5,000.	
Acct. #9951 (Building Salaries)		$5,000.
Acct. #9942 (Laundry - Purchased Service)	3,000.	
Acct. #9953 (Buildings - Heating)		3,000.
Acct. #9980 (Foster Home Care Service)	3,000.	
Acct. #9959 (Building - Repairs)		3,000.
	$11,000.	$11,000.

CARRIED

EPORTS (Cont'd)

eport No. 107 - The Rideaucrest Home Board of Management

WHEREAS the number of residential care days projected for Rideaucrest Home for the year 1979 has not been as high as previously estimated; and

WHEREAS this would cause a serious shortfall in funds receivable by the Home for residential care;

THEREFORE BE IT RESOLVED THAT
the per diem rate for residential care at Rideaucrest Home for the Aged be increased from $22.50 to $25.00, effective November 1, 1979.

CARRIED AS AMENDED
Ald. Hawkins opposed
Ald. Matthews opposed
(See following motion to amend)

ed by Ald. Tarnowecky,
onded by Ald. Lampropoulos,

t Clause 2, Report No. 107, be amended to delete from the third paragraph
words "as recommended by the Administrator" in the first sentence and sub-
ute the word "November" for the word "October" in the last sentence.

CARRIED 12:2
Ald. Hawkins opposed
Ald. Matthews opposed

Respectfully submitted,

(Signed) J. Gerretsen (Chairman)
J. Hawkins (Vice-Chairman)
Bill Bishop
W. Knapp

* * *

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

Ald. Timmins presented Report No. 108 of the City of Kingston Planning Board. Council consented to the addition of the words "and type" in Clause 7, Section (b) after the word "number".

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 108 of the City of Kingston Planning Board be received and adopted, clause by clause.

REPORT NO. 108

October 24, 1979.

o the Mayor and Aldermen:

The City of Kingston Planning Board reports and ecommends as follows:

WHEREAS on April 24, 1978 Council passed By-Law No. 9235, "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston' (Rezone 0.6 Acre Parcel of Land Located on the East Side of Montreal Street, North of Railway Street, from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family)"; and

WHEREAS in addition to A (One and Two Family) Residential zone uses By-Law No. 9235 also permitted the existing bottling plant and warehouse subject to the C2 (Commercial) regulations; and

WHEREAS the owner of the subject property filed an objection to his use being made subject to the provisions of the C2 (Commercial) zone; and

WHEREAS on May 31, 1979 an Ontario Municipal Board hearing was held with respect to Zoning By-Law No. 9235; and

WHEREAS the decision of the Ontario Municipal Board dated July 9, 1979 approved that portion of By-Law No. 9235 dealing with permitted uses but referred the matter of lot occupancy and setbacks back to the City for reconsideration so that a less restrictive amending by-law could be prepared;

THEREFORE BE IT RESOLVED THAT:

a) By-Law No. 9235 "A By-Law to Amend By-Law No. 8499, 'Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston' (Rezone 0.6 Acre parcel of land located on the east side of Montreal Street, north of Railway Street, from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family) Residential)", passed on April 24, 1978, be repealed.

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

1. (Cont'd)

b) By-Law No. 8499 be amended as follows:

i) By amending Zoning Map No. 15 so as to rezone that parcel of land consisting of approximately 0.24 ha located on the east side of Montreal Street, north of Railway Street, as shown on a copy of Zoning Map No. 15 which is attached hereto as Schedule 'A' from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family) Residential.

ii) By adding as section 153 the following:

"153. On the approximately 0.24 ha parcel of land located on the east side of Montreal Street, north of Railway Street and designated A.153 on a copy of Zoning Map No. 15 attached to and forming part of By-Law No.*79-250*, as Schedule 'A',

(a) the permitted uses shall also include a bottling plant for soft drinks and associated warehouse and associated retail facilities,

(b) the maximum total building floor area for all buildings shall be 1440.0 m^2 with a maximum of 20% of that total floor area to be permitted as a second storey,

(c) there shall be no regulations regarding:

i. minimum front yard
ii. minimum side yard
iii. minimum rear yard
iv. off-street parking spaces
v. off-street loading spaces
vi. maximum percentage of lot coverage
vii. accessory buildings.

ee By-Laws No. 1 and 2 : No. 79-249 and No. 79-250).

CARRIED

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

2. WHEREAS By-Law No. 8820 established an administrative procedure with regard to building permit applications subject to By-Law No. 7818; and

WHEREAS this procedure was adopted by Council on December 18, 1975 (Clause 4, Report No. 121) and involved recommendations from the Committee on Parks and Recreation, which no longer exists and it is therefore desirable to revise the procedure;

THEREFORE BE IT RESOLVED THAT the aforementioned procedure be amended as follows:

(1) Council shall direct the Chief Building Official to refer all building permit applications which are subject to this by-law to the Department of Planning and Urban Renewal.

(2) The Director of Planning and Urban Renewal shall discuss each application with the Commissioner of Parks and Recreation, taking into consideration the Official Plan and the Parks Development Plan.

(3) The Director of Planning and Urban Renewal shall refer each application to the Planning Board, together with the recommendation of the Commissioner of Parks and Recreation.

(4) The Planning Board shall recommend to Council as to whether five percent in land or cash is required.

(5) When Council has adopted a recommendation to:

a) require land, and when a deed for such land has been received by the City, the Chief Building Official shall be informed and may issue the building permit;

In the case of conveyance of land, a cash refundable deposit, based on a value for the building site of $2,000. will be accepted until such time as the deed for the land is received;

- or -

b) require cash, the Department of Planning and Urban Renewal shall obtain a letter of opinion from a qualified land appraiser as to the value of the building site and advise the applicant. Upon receipt of a certified cheque for five percent of the value of the building site by the Department of Planning and Urban Renewal, the Chief Building Official shall be informed and may issue the building permit.

(6) The City shall require that an application for a building permit to which the subject by-law applies be accompanied by a plan of survey showing the proposed location of the building which is the subject of the application and all other structures, buildings or associated facilities on the subject parcel.

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

2. (Cont'd)

(7) In order to obtain exemption from this by-law under Section 35b of The Planning Act, an applicant must submit an affidavit declaring that the parcel is exempt, giving details as to why this is so.

(8) In order to obtain a valuation which excludes the land value of deteriorated residential units being replaced by new units, an applicant must submit a written report on the condition of the deteriorated units.

CARRIED

3. That, pursuant to Section 37(a) of The Planning Act, R.S.O. 1970 as amended, a by-law be presented to Council to designate the City of Kingston as an area of demolition control, so that no person shall demolish the whole or any part of any residential property unless he is the holder of a demolition permit issued by City Council.

(*See By-Law No.*3 : 79-251).

REFERRED BACK TO CITY OF KINGSTON PLANNING BOARD
(See following motion of referral)

Moved by Ald. Timmins,
Seconded by Ald. Gorham,

That Clause 3, Report No. 108, be referred back to City of Kingston Planning Board.

CARRIED 9:5

Ald. Clements withdrew at 9:45 p.m. and returned at 9:50 p.m.

Moved by Ald. Lampropoulos,
Seconded by Ald. Clements,

That Mr. Young, a representative of Campeau Corporation be permitted to speak to the Committee of the Whole with regard to Clause 4, Report No. 108.

CARRIED 11:3
Ald. Timmins opposed
Ald. Tarnowecky opposed

4. WHEREAS Campeau Corporation has applied to amend Zoning By-Law No. 8499 with respect to an approximately 12.0 ha (29.6 acres) parcel of land located on the east side of Division Street north of Weller Avenue in order to permit the construction of a shopping centre; and

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

4. (Cont'd)

WHEREAS Schedule A-1 to the Official Plan (Land Use and Major Streets) designates the subject area as commercial and Section 4(41) (General Principles and Policies) states that Urban Commercial uses "shall be concentrated in the Central Business District, (C.B.D.) and in commercial complexes preferably abutting on Bath Road, Princess Street, Division Street and Montreal Street with easy and direct access to these arteries "; and

AND WHEREAS evidence indicates that a regional shopping centre at this site could be detrimental to the City's desire to revitalize the urban core; and

WHEREAS the evidence of the recent market studies suggests that a community size shopping centre at this location would not have a significant effect on retailing in the C.B.D. yet would definitely offer a long overdue convenient commercial service to the surrounding residential area; and

WHEREAS on March 20, 1979 Planning Board recommended that the concept of developing a community size shopping centre with a total retail area of 180,000 sq. ft. at this location be endorsed subject to the successful completion of discussions regarding the assumption of costs for works and related matters, siting, architecture and vehicular access; and

WHEREAS on August 14, 1979 this recommendation was endorsed by Council; and

WHEREAS Campeau Corporation has now agreed to satisfy the preliminary concerns of the City associated with this development proposal;

THEREFORE BE IT RESOLVED that By-Law No. 8499 be amended as follows:

A. By amending Zoning Map No. 3 so as to rezone the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue as shown on a copy of Zoning Map No. 3 which is attached hereto as Schedule 'B' from Zones C2, C2.79 and C2.101 to Zone C2.101 Commercial.

B. By amending Section 101 so it shall now read in full as follows:

"101. On the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue and designated C2.101 on Zoning Map No. 3 attached to and forming part of By-Law No. 79-253, as Schedule "A":

a) the permitted uses shall only be as follows:

i) A shopping centre containing the following:

a) a food store with a maximum gross leasable area of 3511 m2.

b) a department store with a maximum gross leasable area of 6940 m^2,

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

4 B.a)(i) cont'd.

c) additional retail stores, including offices with a combined maximum gross leaseable area of 6270m^2 provided that no one such retail store has a maximum gross leasable area exceeding 929.0m^2 which may include the following uses:

i) Banks,

ii) Bowling Alleys, Theatres, Auditoriums,

iii) Brewers' Retail Store and Liquor Stores.

(ii) Motels or Hotels and accessory uses incidental solely to this use which may include restaurants and lunch counters.

(iii) Municipal publicly owned utility and government buildings or facilities and telephone exchanges.

(iv) Indoor and outdoor athletic and sports facilities including open or enclosed stadiums.

b) For the purpose of this section only the area that is zoned C2.101 shall be considered to be one lot.

c) The Minimum Required Front Yard shall be 9.0 m.

d) The Minimum Required Off-Street Parking spaces for a shopping centre shall be 5 spaces for every 93.0m^2 of gross leasable area.

e) Off-Street Parking may be permitted in a required side yard."

- and further -

that upon third reading being given to the By-Law, the City Clerk is hereby directed to proceed pursuant to the provisions of Ontario Regulation 597/79.

CARRIED AS AMENDED 12:2
Ald. Knapp opposed
Ald. Miller opposed
(See following motions to amend and recorded vote on Amendment No. 3)

(1) Moved by Ald. Knapp,
Seconded by Ald. Gerretsen,

That Clause 4, Report 108, be amended to add the following as Paragraph 3:

> " Whereas evidence indicates that a regional shopping centre at this site could be detrimental to the City's desire to revitalize the urban core; and"

CARRIED 9:5

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

4. (Cont'd)

(2) Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That Clause 4, Report No. 108, be amended to delete the following:

B.a) the permitted uses shall only be as follows:

i) Banks,

ii) Bowling Alleys, Theatres, Auditoriums,

iii) Brewers' Retail Store and Liquor Stores,

iv) Motels or Hotels,

v) Indoor and outdoor athletic and sports facilities including open or enclosed stadiums,

vi) Accessory uses incidental solely to any of the above uses which may include restaurants, lunch counters and retail (including retail stores selling general services).

WITHDRAWN

(3) Moved by Ald. Bishop,
Seconded by Ald. Gerretsen,

That Clause 4, Report No. 108, be amended to delete the following from Section B:

"101. On the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue and designated C2.101 on Zoning Map No. 3 attached to and forming part of By-Law No. 79-253 as Schedule 'A':

a) the permitted uses shall only be as follows:

i) Banks,

ii) Bowling Alleys, Theatres, Auditoriums,

iii) Brewers' Retail Store and Liquor Stores,

iv) Motels or Hotels,

v) Municipal publicly owned utility and government buildings or facilities and telephone exchanges,

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

4. (Cont'd)

(a) (cont'd)

vi) Indoor and outdoor athletic and sports facilities including open or enclosed stadiums,

vii) Accessory uses incidental solely to any of the above uses which may include restaurants, lunch counters and retail (including retail stores selling general services),

viii) A shopping centre containing the following:

a) a food store with a maximum gross leasable area of 3511 m^2,

b) a department store with a maximum gross leasable area of 6940 m^2,

c) additional retail stores, including offices with a combined maximum gross leasable area of 6270m^2 provided that no one such retail store has a maximum gross leasable area exceeding 929.0m^2."

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

4. (Cont'd)

- and substitute in lieu thereof the following:

"101. On the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue and designated C2.101 on Zoning Map No. 3 attached to and forming part of By-Law No. 79-253, as Schedule "A":

a) the permitted uses shall only be as follows:

i) A shopping centre containing the following:

a) a food store with a maximum gross leasable area of 3511 m2.

b) a department store with a maximum gross leasable area of 6940 m^2.

c) additional retail stores, including offices with a combined maximum gross leaseable area of 6270m^2 provided that no one such retail store has a maximum gross leasable area exceeding 929.0m^2 which may include the following uses:

i) Banks,

ii) Bowling Alleys, Theatres, Auditoriums,

iii)Brewers' Retail Store and Liquor Stores.

(ii) Motels or Hotels and accessory uses incidental solely to this use which may include restaurants and lunch counters.

(iii) Municipal publicly owned utility and government buildings or facilities and telephone exchanges.

(iv) Indoor and outdoor athletic and sports facilities including open or enclosed stadiums. "

CARRIED 13:1
(See Recorded Vote)

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

4. (Cont'd)

Ald. Knapp requested a recorded vote which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins (13)

NAYS: Ald. Knapp (1)

5. That, as recommended by the Development Control Committee, the following plans submitted by Messrs. Sands, Pattenden, Gay & Kemp, for an addition to a professional office building at the corner of Bagot and Barrack Streets:

Dwg. SK2 - Elevations - Scale 1:100 - Aug. 31, 1979

Dwg. SK1 - Site & Floor Plans - Scale 1:100 Aug. 31, 1979

be approved, subject to the owner entering into a Site Plan agreement which shall include the following conditions:

a) *that development shall be in accordance with the above listed plans;*

b) *that all parking areas and vehicular access routes shall be paved;*

c) *that a landscaping plan shall be submitted within three months of approval of this development by Council and implemented within one year of the issuance of the building permit;*

d) *that any new sanitary sewer connection will require a connection agreement with the City;*

e) *any new storm sewer connection will require Council approval and will have to be to the Barrack Street sewer;*

f) *the planter location as shown on drawing No. SK1 along Bagot Street shall be revised so that it does not encroach onto the street allowance;*

g) *the owner shall sign upon presentation, local improvement petitions for the reconstruction of sidewalks abutting the site on Barrack and Bagot Streets;*

h) *a new 1"Ø copper water service shall be installed at the owner's cost;*

i) *the location and screening of any exterior air conditioning or mechanical units shall be subject to City approval;*

j) *the design and location of exterior light fixtures shall be subject to City approval;*

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

5. (Cont'd)

k) *that the interior floor layout as shown on Dwg. SK-1 shall be exempted from the requirements of this agreement;*

l) *that prior to the issuance of a building permit grading and servicing drawings to the satisfaction of the Commissioner of Works shall be submitted;*

m) *that prior to issuance of the building permit final approval of zoning by-law amendment No. 79-234 shall have been obtained pursuant to Section 35 of The Planning Act.*

CARRIED

6. That, as recommended by the Development Control Committee, the following plans submitted by B.D.C. Limited, for a one-storey terminal for courier service located at 121 Duff Street:

Plan A-1 - Site Plan - Scale 1"=20' - August 1979

Plan A-3 - Elevations - Scale 1/8"=1/0" - August, 1979

be approved, subject to the owner entering into a Site Plan Agreement, which shall include the following conditions:

a) *that development shall be in accordance with the above-listed plans;*

b) *that all vehicular access routes and parking areas shall be paved;*

c) *that the location and screening of any interior air conditioning or mechanical units shall be subject to City approval;*

d) *the location and design of all exterior light fixtures shall be subject to City approval;*

e) *that a landscaping plan shall be submitted within three months of the approval by Council and implemented within one year of the issuance of the building permit;*

f) *that the owner shall sign upon presentation, local improvement petitions for the construction of curb, gutter, boulevard, sidewalk and storm sewer in Duff Street abutting the site.*

CARRIED

REPORTS (Cont'd)

Report No. 108 - City of Kingston Planning Board

7. WHEREAS on August 22, 1979, the Jehovah's Witness Congregation of Kingston entered into a development control agreement with the City of Kingston with respect to the construction of a church building on Butler street; and

WHEREAS it was a condition of such agreement that a landscaping plan be submitted for the approval of the City within three months and implemented within one year of issuance of the building permit; and

WHEREAS a landscaping plan has now been submitted in fulfilment of this condition;

THEREFORE BE IT RESOLVED THAT the following landscaping plan

L1 - Landscaping - Dated October 25, 1979

be accepted in fulfilment of the abovementioned condition of development control, subject to the following conditions:

a) that approval shall be subject to the planting of an evergreen buffer strip surrounding the parking area; and

b) that the number and type of evergreens planted around the said paved parking area shall be subject to the approval of the Parks and Recreation Department.

CARRIED AS AMENDED
(See following motion to amend)

Moved by Ald. Hawkins,
Seconded by Ald. Gerretsen,

That Clause 7, Report No. 108 be amended to add in Section "b)" the word "paved" in front of the word "parking".

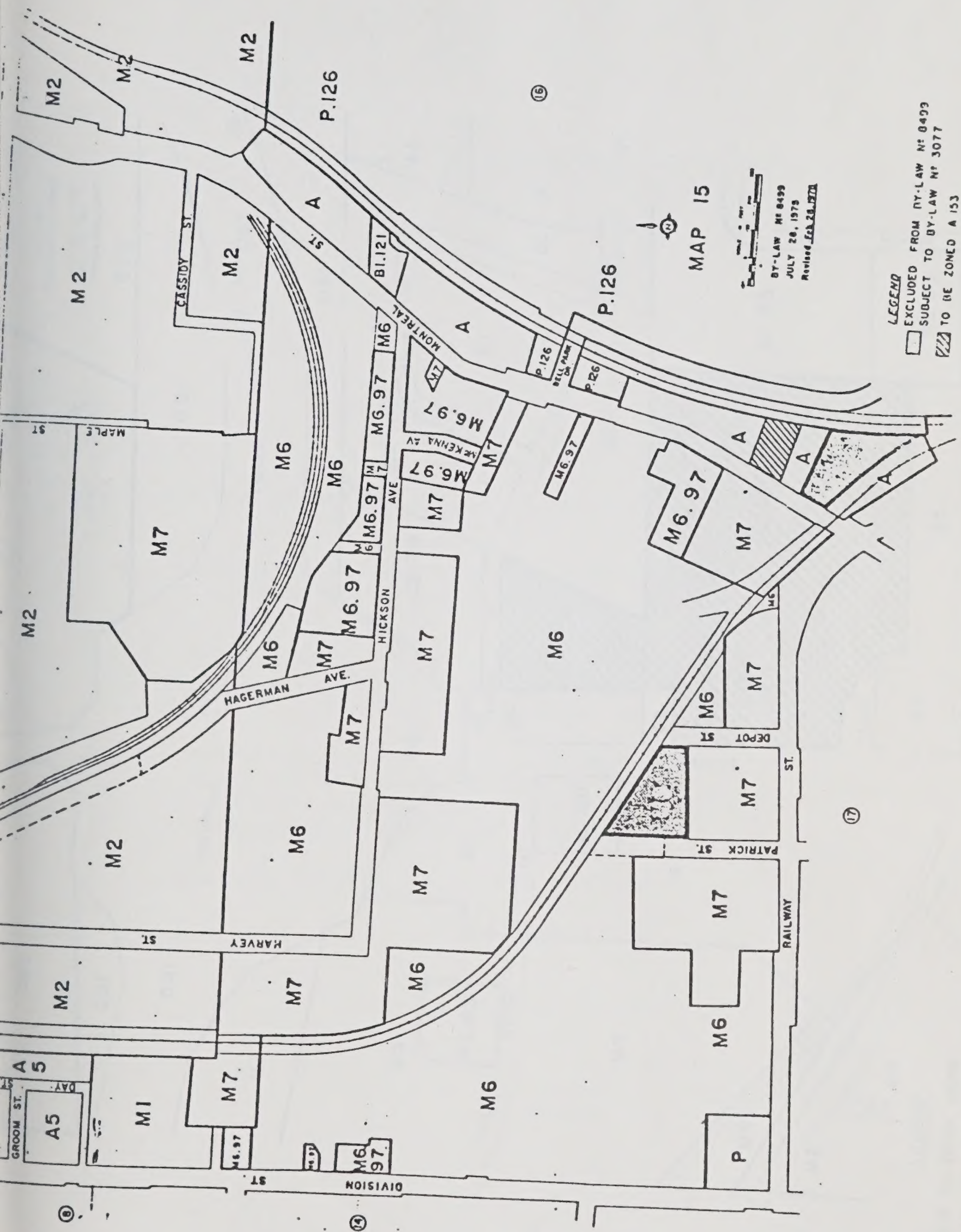
CARRIED

Respectfully submitted,

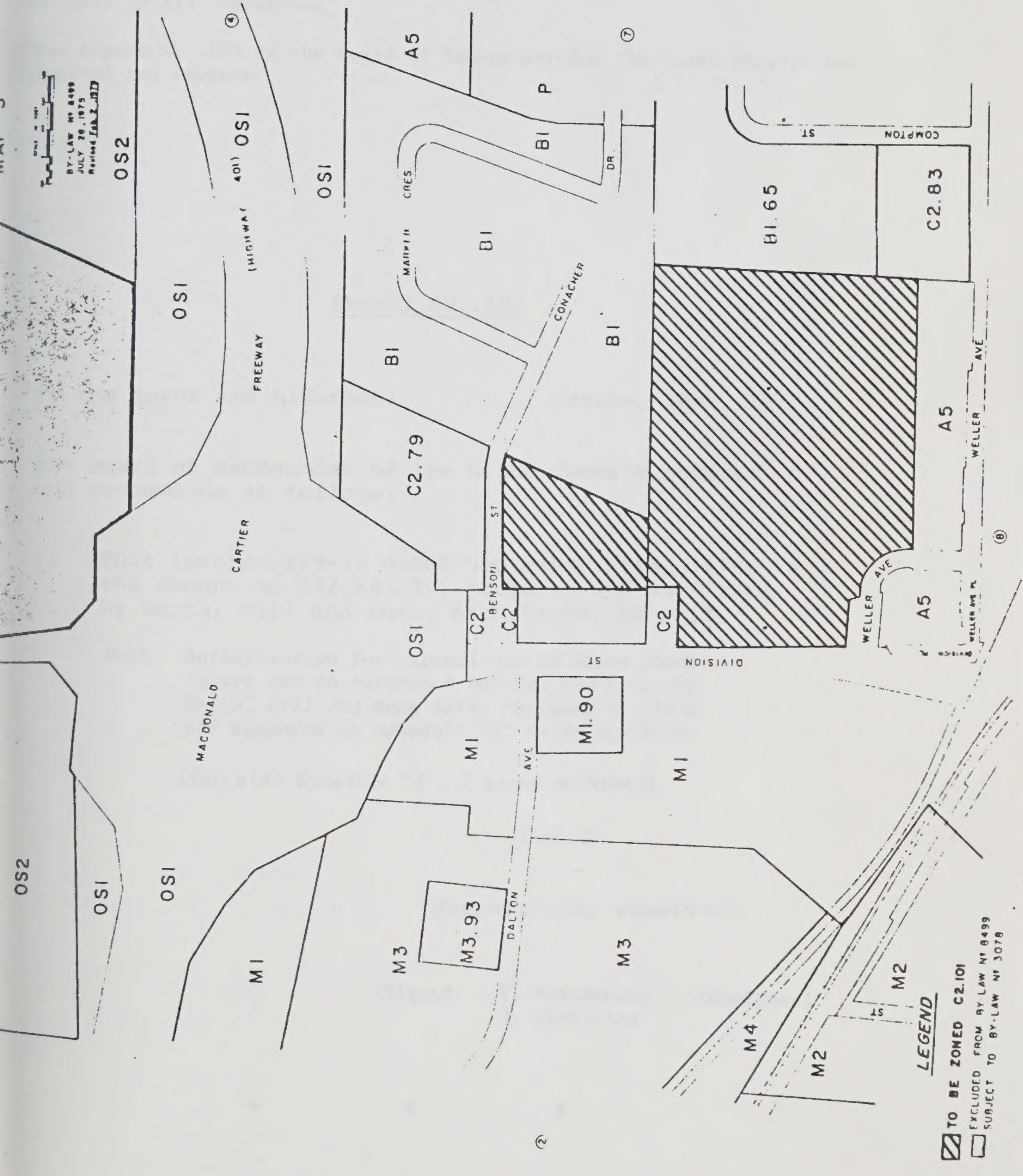
(Signed) *Grant Timmins* (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

Schedule 'A' to Report No. 108
(Page 1)


MAP 15
BY-LAW No 8499
JULY 28, 1975
Revised
LEGEND
EXCLUDED FROM BY-LAW No 8499
SUBJECT TO BY-LAW No 3077
TO BE ZONED A 153
⑯
⑰
⑧
⑭
M2
P.126
A
B1.121
M6
M7
M6.97
M1
A5
P
CASSIDY ST.
MONTREAL ST.
MAPLE ST.
McKENNA AV
BELL PARK DR.
HICKSON AVE
HAGERMAN AVE.
HARVEY ST.
DAY ST.
GROOM ST.
DIVISION ST.
DEPOT ST.
PATRICK ST.
RAILWAY ST.

Schedule 'B' to Report No. 108
(Page 1)


BY-LAW Nº 8499
JULY 28, 1975
OS2
OS1
HIGHWAY 401
MACDONALD CARTIER FREEWAY
A5
P
B1
MARKET CRES
CONACHER DR
B1.65
C2.83
COMPTON ST
WELLER AVE
A5
DIVISION ST
C2
BENSON ST
C2.79
M1
M1.90
DALTON AVE
M3
M3.93
M4
M2
ST
④
⑦
⑧
②
LEGEND
▨ TO BE ZONED C2.101
☐ EXCLUDED FROM BY-LAW Nº 8499 SUBJECT TO BY-LAW Nº 3078

REPORTS (Cont'd)

Report No. 109 - The Board of Management for the Grand Theatre

Ald. Tarnowecky presented Report No. 109 of the Board of Management for the Grand Theatre.

Moved by Ald. Tarnowecky,
Seconded by Ald. Gerretsen,

That Report No. 109 of the Board of Management for the Grand Theatre be received and adopted.

REPORT NO. 109

To the Mayor and Aldermen: October 18th, 1979.

The Board of Management of the Grand Theatre reports and recommends as follows:

1. That Invoice #79-42 dated September 26th, 1979, in the amount of $42,941.19, prepared and submitted by Smith, Mill and Ross, Architects, be paid.

   NOTE: Authorization for expenditure of these funds is set out in Agreement between the City and Smith, Mill and Ross dated February 23, 1976 and appended as Schedule "A" to By-law 8622.

   (See also Schedule "A", 2 pages attached)

CARRIED

Respectfully submitted,

(Signed) Y. Tarnowecky (Chairman)
J. Gerretsen

* * *

SCHEDULE "A"-1

FILE
#7-1.1-2

Smith, Mill & Ross
Architects

11 Princess Street, Kingston, Ontario K7L 1A1 • Telephone (613) 546-1175

Harry P. Smith, MRAIC
F. Thomas Mill, MRAIC
Michael H. Ross, MRAIC

September 26th, 1979.

Corporation of the City of Kingston,
City Hall,
Kingston,
Ontario.
K7L 2Z3

Attention: Mr. M.C. Healy, City Clerk

Re: Alterations and Additions to Grand Theatre, Kingston, Ontario

Dear Mr. Healy:

We are enclosing herewith our Invoice #79-42, in the amount of $42,941.19, in connection with the above contract. By way of explanation, you will note that we have calculated the working drawings' fee on the basis of the tender for this work in accordance with our agreement with the City. The supervision fee is based on the actual cost of the finished contract. You will note that we have absorbed the cost of administering the furniture contract.

We have not billed for the two major re-draws nor the considerable amount of revisions necessary to reduce the tender by 1/3. We are currently analyzing the effect of this financial burden on our firm and will shortly be advising you of the results.

Yours very truly,

F. Thomas Mill

. Thomas Mill. per

or:
MITH, MILL & ROSS, ARCHITECTS

TM/cb
ncl.

of Kingston
CEIVED
OCT 1 1979
ARTMENT OF
CITY CLERK

Schedule "A" to Report No. 109
(Page 2)

SCHEDULE "A"
-2

INV. #79-42

Smith, Mill & Ross
Architects

Princess Street, Kingston, Ontario K7L 1A1 • Telephone (613) 546-1175

Harry P. Smith, MRAIC
F. Thomas Mill, MRAIC
Michael H. Ross, MRAIC

September 26th, 1979.

rporation of the City of Kingston,
ty Hall,
ngston, Ontario.

tention: Mr. M. Healy, City Clerk

In Account With: Smith, Mill & Ross,
11 Princess Street,
Kingston, Ontario.

. Alterations and Additions to Grand Theatre, Kingston, Ontario.

professional services:

s:

se I – 12% of $55,100 (complete)	$ 6,612.00
se II – 12% of $141,200.00 (complete)	$16,946.40
se III & IV – 75% of 12% of $835,545.00 (Tender)	$75,199.05
	$98,757.45
iced and Paid to Date (Inv. #78-25)	– $75,148.82 ✓
	$23,608.63
rvision:	
of 12% of $644,418.72 (Final Contract)	– $19,332.56
DUE..	$42,941.19

REPORTS (Cont'd)

Report No. 110 - Chief Administrative Officer

Council consented to the addition of the word "hourly" in the first sentence of Clause 5, Report No. 110, after the word "the".

Council agreed to consider Clause 11, Report No. 110, at the meeting to be held on November 5, 1979, instead of today.

Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Report No. 110 of the Chief Administrative Officer be received and considered.

REPORT NO. 110

October 29, 1979.

o the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

That the Ministry of Transportation and Communications be petitioned for interim payment of subsidy under The Public Transportation and Highway Improvement Act on expenditures made in the year 1979 for the period January 1st to September 30th as follows:

	Construction	Maintenance	Total
Roads or Streets	$705,464.00	$1,345,712.	$2,051,176.

CARRIED

Ald. Timmins withdrew at 10:30 p.m.
Ald. Clements withdrew at 10:30 p.m.

That, as recommended by the Commissioner of Public Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of the asphalt pavement in the laneway from Sydenham Street to Clergy Street between Johnson Street and William Street under the provisions of Section 7 of the Local Improvement Act, as follows:

Total Estimated Cost	$8,000.00
Owners Share	7,203.51
City Share	796.49
Debenture Amount	8,000.00.

and that the following Capital Budget transfer be approved:

	INCREASE	DECREASE
Local Improvements - Sidewalks		
Miscellaneous - Bath Road n/s from the CN spur to the Bridge	—	$8,000.
Local Improvements - Roads, etc.		
Laneway from Sydenham Street to Clergy Street	$8,000.	—

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "A", 1 Page.)

(See By-Law 4; No. 79-252)

CARRIED

REPORTS (Cont'd)

Report No. 110 - Chief Administrative Officer

3. That, as recommended by the Commissioner of Works, pursuant to Section 62(e) of By-Law No. 1, the holdback (2½%) in the amount of $14,433.83, Contract No. 78-2W, be released to the Contractor, Donald A. Foley Ltd.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "B", 1 Page.)

CARRIED

4. That, as recommended by the Commissioner of Works, pursuant to Section 62(e) of By-Law No. 1, the holdback in the amount of $5,676.47, Contract No. 78-3W, Donald A. Foley Ltd. be released with the amount of $2,000.00 being retained for the sidewalk deficiencies.

(Note: A copy of the report of the Commissioner of Works is attached as Schedule "C", 1 Page.)

CARRIED

5. That, as recommended by the Commissioner of Works, the hourly rental rate for trucks for winter control and other municipal uses be approved as follows:

SINGLE AXLE

10 yds. capacity	$10.50
13 yds. capacity	13.50

TANDEM AXLE TRUCKS

15 yds. capacity	$16.00
19 yds. capacity	20.25

and that the minimum liability insurance be $500,000.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "D", 3 Pages.)

CARRIED AS AMENDED

ld. Clements and Ald. Timmins returned at 10:35 p.m.

6. That, as recommended by the Chief Administrative Officer, a grant of $300.00 be given to the Parr Christie Singers to assist in outfitting their members,monies to be made available from "Finance Contingencies".

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "E", 3 Pages.)

LOST 4:10

d. Bishop declared a conflict of interest in Clause 7 as he is a member the Kingston Jaycees.

7. That, as recommended by the Chief Administrative Officer, a grant of $500.00 be given to the Kingston Jaycees to assist with the costs of the annual Santa Claus Parade, said monies to be provided from "Finance Miscellaneous."

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "F", 2 Pages.)

CARRIED 13:0

Ald. Bishop abstained from voting

REPORTS (Cont'd)

Report No. 110 - Chief Administrative Officer

8. That, as recommended by Mayor Keyes, the offer of the La Salle Chapter of the I.O.D.E. to hand over to the City the Cenotaph (Cross of Sacrifice) erected by the I.O.D.E. in Macdonald Park on the south side of King Street be accepted.

(Note: A copy of the letter from the I.O.D.E. is attached hereto as Schedule "G", 1 Page.)

CARRIED

9. That the quotation of McGinnis & O'Connor Limited, in the amount of $13,354.40, for the construction of the Gorsline parking lot expansion, be accepted, being the lowest quotation received.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached hereto as Schedule "H", 1 Page.)

CARRIED

10. That Elliot Avenue be designated as a through street from Division Street to LeRoy Grant Drive, so that Stop signs may be installed on the intersecting streets.

(Note: A copy of the report of the Administrator of Traffic, Streets and Parking is attached as Schedule "I", 1 Page.)

(See By-Law 11: No. 79-255)

CARRIED

11. That, as recommended by the Chief Administrative Officer, the agreement between John Burke Sampson, 346483 Ontario Limited, Campeau Corporation, 369662 Ontario Limited, and the Corporation of the City of Kingston (a copy of which has been distributed to all members of Council) for the development and construction of a shopping centre on the east side of Division Street between Weller Avenue and Benson Street be approved;

- and further -

That the Mayor and City Clerk be authorized to execute said agreement.

NOT PRESENTED

(Council agreed to consider Clause 11, Report No. 110, at the regular meeting of Council to be held on November 5, 1979)

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

Schedule "A" to Report No. 110
(Page 1)

MEMORANDUM

TO:	Mr. R.J. Hamilton Chief Administrative Officer
DATE:	October 24, 1979
SUBJECT:	Asphalt pavement (3.7m wide) in laneway from Sydnham St. to Clergy St. between Johnson St. and William St.

ORIGIN:	A sufficiently signed petition for the above mentioned has been received.
ANALYSIS:	This City lane is used for vehicle access to properties fronting on Johnson St. and William St. and for garbage collection. Construction of a pavement as a Local Improvement will make it possible for the City to provide maintenance.
FINANCIAL:	There was no allotment made in 1979 Capital budget. A transfer of funds will be necessary. A petition for a sidewalk on Bath Rd. n/s from the CN spur to the bridge has not been signed yet and it is recommended that this be deferred for the time being.
RECOMMENDATION:	That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of the asphalt pavement in the Laneway from Sydnham St. to Clergy St. between Johnson St. and William St. under the provisions of Local improvement act. (Section 7)

Total estimated cost	$8,000.00
Owners share	$7,203.51
City share	$ 796.49
Debenture amount	$8,000.00

and that the following transfer be approved.

	decrease	increase
Bath road sidewalk	$8,000.00	
Laneway from Sydrham to Clergy		$8,000.00

D. Graham, P. Eng.
Commission of Works

DG:hh

Schedule "B" to Report No. 110
(Page 1)

MEMO: Mr. R.J. Hamilton
Chief Administrative Officer

DATE: October 24, 1979

SUBJECT: Contract 78-2W - Holdback Release
Various projects were included in this contract, the major ones being Portsmouth Ave. Fairview to Howard and Division St. in vicinity of Elliot Ave.

RIGIN: Public Works Department

NALYSIS: The M.T.C. audit has been received and it is now in order to release the 2½% held pending receipt of the audit.

XISTING
OLICY: Council approves release of holdback.

INANCIAL: The remaining holdback of 2½% on contract 78-2W is $14,433.83.

ECOMMENDATION: That since the audit report does not require any adjustment in payment the holdback (2½%) in the amount of $14,433.83 be released to the Contractor, D.A. Foley Ltd.

D. Graham, P. Eng.
Commission of Works

:hh

Schedule "C" to Report No. 110
(Page 1)

MEMO: Mr. R.J. Hamilton
Chief Administrative Officer

DATE: October 24, 1979

SUBJECT: Contract 78-3W - Holdback Release
Queen St. Reconstruction King to Bagot

ORIGIN: Public Works Department

ANALYSIS: An interim final was processed at the end of 1978 with a holdback retained of 2.5% pending MTC audit as well as funds to cover asphalt, sidewalk and other misc. deficiencies. In August the funds held for low asphalt tests were released in the amount of $4542.01 following the placing of a partial overlay. Now the audit has been received and a final payment has been prepared.

The sidewalk deficiencies still exist and action will be taken in 1980 to correct these.

EXISTING POLICY Council approves release of holdback.

FINANCIAL: The present holdback is in the amount of $7,676.47. All but $2,000.00 to cover the sidewalk deficiencies should be released.

RECOMMENDATION: That since the audit report has been received and all deficiencies except the sidewalk deficiencies have been satisfactorily corrected holdback in the amount of $5,676.47 be released to the Contractor, D.A. Foley Ltd., $2,000.00 being retained for the sidewalk deficiencies.

D. Graham, P. Eng.
Commissioner of Works

DG:hh

Schedule "D" to Report No. 110
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
FFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

October 25, 1979

TO: Mayor and Members of Council

RE: WINTER TRUCKING RATES

We have reviewed the attached report with Mr. Graham and can comment as follows:

1. If we apply the principle that the rate for rental of trucks should be directly related to the capacity of the truck, the rates as suggested are in order based on mathematical calculations.
2. Mr. G. de Lugt further suggests that the distance factor will probably be the same for each vehicle.
3. The suggested rates as per the report give effect to the above factors and should be approved by Council for 1979-1980.

R.J. Hamilton
Chief Administrative Officer

Schedule "D" to Report No. 110
(Page 2)

MEMO TO: Mr. R.J. Hamilton, Chief Administrative Officer

DATE: October 22, 1979

SUBJECT: Winter Control - Rental Rates for Trucks

ORIGIN: Public Works Department

ANALYSIS: At this time each year the city through a notice in the paper offers an hourly rate for the rental of trucks and invites those interested to register their trucks at the City Yard. In addition, all those who made their trucks available last winter are also notified by mail.

Attached as schedule 1 is a memorandum from Mr. deLugt Deputy City Engineer.

The proposed rate structure appears fair in that the single axle trucks will receive about $1.05/yd. and the tandem axle trucks $1.07/yd.

The increase in the insurance is insignificant as far as increased cost is to the truckers and it appears that many trucks already have this coverage.

RECOMMENDATIONS: That the following rental rate for trucks for winter control and other municipal uses be approved:

SINGLE AXLE

10 yds. capacity	$10.50
13 yds. capacity	$13.50

TANDEM AXLE TRUCKS

15 yds. capacity	$16.00
19 yds. capacity	$20.25

and that the minimum liability insurance be $500,000.

D. Graham, P. Eng.
Commissioner of Works

Schedule "D" to Report No. 110
(Page 3)

MEMORANDUM

): Mr. D. Graham
Commissioner of Works

TE: October 11, 1979

: WINTER TRUCKING RATES

---

st year's hourly rates for trucking of snow were as follows:

NGLE AXLE TRUCKS

yards capacity	$10.50
yards capacity	$12.50

NDEM AXLE TRUCKS

yds capacity	$16.00
yds capacity	$18.75

e time taken per trip is approximately the same for all trucks. th our snowblowers, we can load trucks in a matter of a minute or so and arly all of the hourly charge is therefore paid in respect of hauling me. This means that the rate for the trucks should be based on their pacity. By comparison the tandem trucks could even be slightly higher warded, as they are less likely to get stuck on account of their larger ad bearing surface. For these reasons, I propose that for the coming nter season, the truck rates be revised as follows:

GLE AXLE TRUCKS

yds capacity	$10.50 (as before)
yds capacity	$13.50 (8% increase)

DEM AXLE TRUCKS

yds capacity	$16.00 (as before)
yds capacity	$20.25 (8% increase)

ase note that of the various trucks registered last year, there were trucks with 10 yds capacity, seven with 13 yds capacity, one with 15 yds acity and eighty-three with 19 yds capacity. The proposed 8% increase ld therefore apply to 97% of the trucks and would benefit all trucks with arged bodies.

our previous specification we stipulated that truckers were to have a imum of $300,000 liability insurance. I suggest this requirement should increasedto $500,000 insurance.

G. de Lugt, P. Eng.
Deputy City Engineer

Schedule "E" to Report No. 110
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
ICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

October 23, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: GRANT - PARR CHRISTIE SINGERS

We are forwarding herewith a request for a Grant payable to the Parr Christie Singers in the amount of $300.00 to assist in outfitting their members.

Council will note that this requests suggests a matching grant from Wintario and as such we would recommend that this said amount be given to this group who certainly make a contribution to the City of Kingston that warrants this attention.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "E" to Report No. 110 (Page 2)

COPY FOR:

Mr. R. J. Hamilton

[illegible]

FILE
7-3

Council - which has been
Referred to the C.A.O.
Oct 22/79

October 5th, 1979

Mayor K. Keyes & Members of Council
City of Kingston
KINGSTON, Ontario

Dear Mr. Keyes:

This is a request on behalf of the Parr Christie Singers vho are conducting a fund-raising campaign for the purchasing of new apparel (blazers, slacks, skirts). Throughout the years, vhile most of our concerts have been performed without charge, ve have managed to buy our own clothing. As costs have risen, ve can no longer maintain our fine appearance before the public. Therefore we are asking for help from our community.

Through the efforts of the Honourable Keith Norton, M.L.A. or Kingston, we have been able to obtain a Wintario Grant, nder the condition that we match the amount from our own resources. art of this has been raised by the members who have advanced heir dues over a two-year period, a garage sale, and a home-bake ale, as well as other projects which are being planned for the uture.

We would appreciate a grant from you in the amount of 300.00 as your contribution towards this community-oriented roup. We have always put forward the best interest of our unicipalities in our performances, and trust that this will e taken into consideration in your decision. We await, with nticipation, your favourable reply.

Gratefully yours,

THE PARR CHRISTIE SINGERS

Keith H.

Keith Hewson
Ways and Means

Hyland Court
ngston, Ontario
1G9

Kingston
IVED
OCT 1 1979
1979
MENT OF
CLERK

Copy to:
Mr. Hamilton
Mr. Cousins

Schedule "E" to Report No. 110
(Page 3)

PARR CHRISTIE SINGERS

Breakdown of Costs etc.

Cost of Outfits

27 Jackets	@ $100 each	=	$2,700.
20 Dresses	@ $100 each	=	2,000.
20 Skirts	@ $ 20 each	=	400.
10 Pants	@ $ 30 each	=	300.
Total Cost			$5,400.

Projected Funds

Municipal Grants	$1,000.
Program Sales + Dues	1,000.
Donations: Patrons	200.
Service Clubs	500.
Total	$2,700.
Wintario Grant	2,700.
Grand Total	$5,400.

Schedule "F" to Report No. 110
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
FICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 7-3

October 24, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: GRANT - KINGSTON JAYCEES

We are forwarding herewith a request for a Grant payable to the Kingston Jaycees for their Santa Claus Parade.

We forwarded this item to Mr. Cousens who replied as follows:

> "This item is not spelled out in Budget. We have been giving this grant for years and usually charge it to 'Finance Misc.'. Sufficient funds are available."

Based on Mr. Cousens comments and the past experience, we would recommend that Council approve this grant in the amount of $500.00 at this time and charge to Finance Misc. as Mr. Cousens has suggested.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "F" to Report No. 110
(Page 2)

OCT 22 1979

KINGSTON JAYCEES INC.

r R J Hamilton
.A.O.
ity of Kingston
ity Hall

ear Mr Hamilton

n behalf of the Kingston Jaycees, I am writing this letter to respectfully equest the continuation of the annual $500.00 grant toward the Jaycee Santa laus Parade to be held November 17th, 1979.

e run the parade on a very tight budget and any help that you could provide n this matter would be very much appreciated.

ours faithfully

Colin Gibson

olin Gibson
olicitation Chairman
42-4955

:jc

tober 22, 1979

Schedule "G" to Report No. 110
(Page 1)

Provincial Office
168 Jackson St. W.,
Hamilton 10

National Office
111 Eglinton Ave. E.,
Toronto 12

OCT

Recommend to Joint Council Mtg.
Del[illegible]

I. O. D. E.

PATRON
HER MAJESTY THE QUEEN

La Salle Chapter, I.O.D.E.
C/O 358 Victoria St.
Kingston.
25 September, 1979.

His Worship the Mayor, Mr. Ken Keyes.

Dear Sir,

On behalf of the members of the La Salle Chapter of the I.O.D.E. I wish to approach the City Council with the proposal to hand over to the City, the Cenotaph erected by the I.O.D.E. on King Street.

It was one of the members of the Remembrance Day committee last year who suggested this to me and I was told that most of the military monuments have been turned over to the City and the members of the La Salle Chapter would be grateful if this could be done with our Cenotaph.

We look forward to hearing your comments on this proposal and hope that your reply will be favourable.

Yours faithfully,

Mildred G. Toland Regent, La Salle Chapter.

Schedule "H" to Report No. 110
(Page 1)

EPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

ROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

ATE: October 26th, 1979.

BJECT Gorsline Parking Lot Expansion - Paving

IGIN Traffic and Streets Department

ALYSIS 1) Four quotations were received as follows:

McGinnis & O'Connor Limited	$13,354.40
Will-Mac Construction	14,461.00
Bennett Paving Limited	20,800.00
Public Works Department	26,000.00

2) The lowest quotation from McGinnis & O'Connor Limited is below cost estimate. McGinnis & O'Connor performance in the past has been very satisfactory.

3) McGinnis & O'Connor will commence work immediately and be completed within two weeks.

4) The Director of Purchasing agrees that the City accept the lowest quotation received.

STING
ICY The lowest quotation is accepted unless there is reason for doing otherwise.

ANCIAL
SIDERATIONS The lowest quotation at $13,354.40 is well within estimates for the scope of work involved.

OMMENDATION That the quotation of McGinnis & O'Connor Limited, in the amount of $13,354.40, for the construction of the Gorsline parking lot expansion, be accepted, being the lowest quotation received.

KG Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Schedule "I" to Report No. 110
(Page 1)

ORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

M: K. G. LInseman, Administrator,
Traffic, Streets and yarking Department.

E: October 26th, 1979.

ECT Traffic Control - Elliot Avenue, Division Street to LeRoy Grant Drive.

IN Traffic and Streets Department.

YSIS 1) Although traffic volumes are low at the present time, traffic volumes are increasing.

2) Elliot Avenue functions as a thoroughfare. It would be advisable to install Stop signs at the intersections along Elliot Avenue.

RNATIVE Due to excellent visibility, "Yield" signs would be adequate as a temporary measure, but would have to be eventually replaced with Stop signs.

MMENDATION That Elliot Avenue be designated as a through street from Division Street to LeRoy Grant Drive, so that Stop signs may be installed on the intersecting streets.

K G Linseman
K. G. Linseman, P.Eng., M.Sc.,
Administrator.

REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Ald. Clark,
Seconded by Ald. Bishop,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

* * *

CARRIED

BYLAWS

Council consented to give By-Law No. 5 First & Second Readings only as Clause 11, Report No. 108, would not be considered until the regular meeting of Council on November 5, 1979.

Ald. Knapp opposed

Council consented to the withdrawal of By-Law No. 3 as Clause 3, Report No. 108, was referred back to the Planning Board, and to the addition of By-Law No. 11.

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That By-Laws 1, 2, 4 & 5 and 10 & 11 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Gorham,

That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Laws 10 & 11 their Third Reading.

CARRIED

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That By-Laws 6 to 11 be given their Third Reading.

CARRIED

(1) A By-Law to Repeal By-Law No. 9235, "A By-Law to Amend By-Law No. 8499, Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston (Rezone 0.6 Acre Parcel of Land Located on the East Side of Montreal Street, North of Railway Street from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A. 153 (1 and 2 family) Residential)."

FIRST & SECOND READINGS Proposed No. 79-249)
Clause 1(a), Report No. 108, 1979

(2) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.24 ha parcel of Land on East Side of Montreal Street, North of Railway Street, from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to Zone A.153 (One and Two Family) Residential).

FIRST & SECOND READINGS) Proposed No. 79-250
Clause 1(b), Report No. 108, 1979

(3) A By-Law to Designate the City of Kingston as an Area of Demolition Control Pursuant to Section 37 a of The Planning Act.

FIRST & SECOND READINGS Proposed No. 79-251
Clause 3, Report No. 108, 1979 WITHDRAWN

BYLAWS (Cont'd)

(4) A By-Law to Authorize the Construction of an Asphalt Pavement in the Public Laneway from Sydenham Street to Clergy Street, between Johnson and William Streets, under the Provisions of Section 7 of The Local Improvement Act (Petition).

FIRST & SECOND READINGS Proposed No. 79-252
Clause 2, Report No. 110, 1979

(5) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone Lands East Side of Division Street, North of Weller Avenue from C2, C2.79 and C2.101 (Arterial Commercial) to Zone C2.101 (Arterial Commercial)).

FIRST & SECOND READINGS Proposed No. 79-253
Clause 4, Report No. 108, 1979
Ald. Miller opposed
Ald. Knapp opposed

(6) A By-Law to Authorize the Widening of the Intersection of Montreal Street and Stephen Street (General Rate).

THIRD READING Proposed No. 79-162
City Council Meeting No. 30, 1979
and
Clause 9, Report No. 92, 1979

(7) A By-Law to Authorize the Construction of a 400 mm Watermain on the East Side of Ontario Street from Clarence Street to Johnson Street Under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-177
Clause 9, Report No. 86, 1979

(8) A By-Law to Authorize the Execution of an Agreement with Terence J. Tait (Access and Sidewalk North of Bath Road West of Little Cataraqui Creek).

THIRD READING Proposed No. 79-241
Clause 14, Report No. 106, 1979

(9) A By-Law to Authorize the Execution of an Amending Agreement with the Kingston Bus for the Handicapped (Purchase of Bus).

THIRD READING Proposed No. 79-247
Clause 9, Report No. 106, 1979

(10) A By-Law to Confirm the Proceedings of Council at its meeting held on October 29, 1979.

THREE READINGS Proposed No. 79-254
CITY COUNCIL MEETING NO. 43, 1979

BYLAWS (Cont'd)

(11) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of the Highway Traffic Act" (Clause 10, Report No. 110).

THREE READINGS
Clause 10, Report No. 110, 1979 Proposed No. 79-255

(Note: Ministry of Transportation and Communication approval NOT required)

* * *

UNFINISHED BUSINESS

Alderman Clark said that the Institute of Local Government is conducting a Seminar at Queen's University from November 20th to November 22nd, 1979, on "The Challenge of Restraint: Municipal Resource Management and Innovation in Times of Restraint". He said that it looked like a worthwhile seminar and someone should attend.

Mayor Keyes said that the City should consider joining the Federation of Canadian Municipalities.

Alderman Clark said that Dr. R. Tindall and his wife have just completed a book entitled "Local Government in Canada". This book contained useful information for the members of Council and the Administration. It can be purchased at the bookstore at St. Lawrence College.

Alderman McArthur commented on the condition of the former Davis Tannery Building and asked what is being done about this situation. He requested that steps be taken to board up the bottom levels.

Mr. Hamilton said that he would have a report ready for the members of Council by Monday of next week.

Mayor Keyes said that tenders had been called for the demolition of the building and the tenders received were high. The Chief Administrative Officer is meeting with the persons concerned and if they do not decide to go ahead with the demolition then the Building Inspection Department will be instructed to place an order against the property.

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Council adjourn to the Loyalist Room and resolve itself into the Committee of the Whole NOT OPEN TO THE PUBLIC to discuss certain items, with Deputy Mayor Gerretsen in the Chair.

CARRIED

Ald. Clements withdrew at 11:00 p.m.

(B) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

The Chairman reported that the following motions were passed in the Committee of the Whole:

COMMITTEE OF THE WHOLE "IN CAMERA" (Cont'd)

(1) Moved by Ald. Tarnowecky,
Seconded by Ald. Bishop,

That Council reconsider their action with regard to the Brief on Policing and Prisons whereby the words "deter and" were deleted.

CARRIED UNANIMOUSLY

(2) Moved by Ald. Tarnowecky,
Seconded by Ald. Bishop,

That the Board of Commissioners of Police be notified that City Council has reconsidered their action with regard to the Brief on Policing and Prisons and has agreed not to request the deletion of the words "deter and".

CARRIED

(3) Moved by Ald. Lampropoulos,
Seconded by Ald. Gorham,

That the Department Heads be requested to commence immediately the preparation of Program Type Budgets for submission to members of Council.

CARRIED

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Clark,
Seconded by Ald. Gorham,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

ADJOURNMENT

Moved by Ald. Gorham,
Seconded by Ald. Bishop,

That Council do now adjourn.

CARRIED

Council adjourned at 11:30 p.m.

* * *

CITY COUNCIL MEETING NO. 44

'he Regular Meeting of City Council was held on Monday, November 5th 979, commencing with an "In Camera" session from 7:10 p.m. to 8:00 p.m. n the Loyalist Room, City Hall, and continued in the Council Chamber t 8:10 p.m. His Worship Mayor Keyes presided.

Loyalist Room)

DLL CALL

ayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, ld. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. Miller, d. Tarnowecky, Ald. Timmins, Ald. Webb (14)

MMITTEE OF THE WHOLE "IN CAMERA"

) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

CARRIED

) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

uncil Chamber)

L CALL

or Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

RT OF THE COMMITTEE OF THE WHOLE

r Keyes reported that the following motion was passed in the Committee of the e:

d by Ald. Clements,
nded by Ald. Bishop,

the contract between Mr. John Westendorp and the City of Kingston dated ember 18, 1979 for the demolition of 132, 138 and 140 Queen Street be ded as follows:

a) That the demolition completion date be extended to November 16, 1979;

b) That N.J. Pollitt Demolition and Lumber Limited, a subcontractor, commence work immediately on the large building (138 and 140 Queen Street) and be paid out of funds provided by Mr. John Westendorp as a deposit on the Macdonnell Street demolition project;

c) That the City be permitted to retain another demolition contractor if the work is not completed by November 16, 1979 and any price difference between Mr. Westendorp's price and any new contractor be paid by Mr. Westendorp.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE (Cont'd)

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MINUTES

COMMUNICATIONS

Council consented to the addition of Communication Nos. 645 to 650.

Filed

(640) From the Federation of Canadian Municipalities forwarding a complimentary copy of their monthly newsletter, fcm FORUM, notifying that a copy of Forum will be sent to the City for a three month period and offering to forward membership information.

(Note: Copies have been distributed to all members of Council previously.)

File No. 3-1.2

Referred to the P.U.C. and City Treasurer

(641) Copy of a letter from the Ministry of Transportation & Communications informing the City of the municipal transit subsidy terms applicable for 1980.

(Note: Copies have been distributed to all members of Council)

File No. 17-11.2 and 2-3.6

Referred to the Planning Board

(642) From the Municipal Planning Consultants forwarding a brief summary of events relating to the current review of The Planning Act in Ontario.

(Note: Copies have been distributed to all members of Council)

File No. 17-9

Referred to the Grand Theatre Board

(643) From the Ministry of Culture and Recreation confirming revised approval of a grant up to a maximum amount of $387,066.33 for Kingston Grand Theatre Renovations and advising that no additional assistance from the Wintario Grant will be available for the project should costs escalate further in the future. A progress payment in the amount of $22,478.61 is being forwarded to the City.

File No. 7-1.1-2

Referred to the Fire Chief

644) From the Ontario Fire College forwarding a copy of their 1980 Calendar for the Advanced Training of Fire Department Officers.

ile No. 6-3

OMMUNICATIONS (Cont'd)

Referred to the Planning Board

(645) From Ivanhoe Incorporated on behalf of Steinburg concerning the proposed Steinburg Shopping Centre.

(Note: Copies have been distributed to all members of Council)

File No. 20-4.4

Referred to the Kingston Intercity Exchange Committee

(646) From Ald. Rod Thomson, on behalf of the Celebrations Committee of Prince Albert, Saskatchewan, conveying their gratitude to Mayor Keyes for his personal contribution to the celebrations by the community of Prince Albert and expressing the hope that the bond between Prince Albert and the City of Kingston will never be broken.

ile No. 3-6

Referred to the Caucus

647) From the Cataraqui, Frontenac and St. Lawrence Wards Ratepayer Association expressing their views on the selection of new members for the Planning Board.

(Note: Copies have been distributed to all members of Council)

le No. 3-2.3

Filed

48) From the Cataraqui, Frontenac and St. Lawrence Wards Ratepayer Association expressing the support of their members for the development of a new shopping centre in the quarry site on outer Division Street.

le No. 25-2.5-20

49) From Ongwanada Hospital replying to the City of Kingston's resolution concerning Annual Tax Public Hospitals and Provincial Mental Health Facilities (Clause 1, Report No. 65, 1979) as follows:

> *"Moved and seconded that be it resolved that the Board of Governors, Ongwanada Hospital request the Government of Ontario to readjust the Bed Tax for Hospitals so that it is equitable to all parties concerned, providing funds are available from the Province of Ontario."*

Ongwanada advises that they have given a qualified endorsement to the Resolution in that it would be subject to increased funds to the Hospital to pay the increase in the Annual Bed Tax.

le No. 19-7

COMMUNICATIONS (Cont'd)

Referred to the Board of Commissioners of Police

(650) From the City of Kitchener requesting that the City of Kingston endorse their following resolution:

> *"Whereas several young residents of the City of Kitchener have been seriously injured by pellets discharged from air guns and/or spring guns;*
>
> *And Whereas there is concern that the discharge of these weapons could lead to more serious injuries or fatalities;*
>
> *Now Therefore Be It Resolved that the Prime Minister of Canada and the Premier of Ontario and their respective governments be requested to pass legislation to control the possession, sale and registration of air guns and spring guns or amend the provisions of The Criminal Code to broaden the definition of a firearm to include air guns and spring guns."*

File No. 6-2

OMMITTEE OF THE WHOLE

A) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

Mayor Keyes reported that the following report was considered in the Committee of the Whole:

PORTS

Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That Report No. 111 of the Chief Administrative Officer be received and considered.

REPORTS

Report No. 111 - Chief Administrative Officer

REPORT NO. 111

November 5, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the Chief Administrative Officer, the agreement between John Burke Sampson, 346483 Ontario Limited, Campeau Corporation, 369662 Ontario Limited, and the Corporation of the City of Kingston for the development and construction of a shopping centre on the east side of Division Street between Weller Avenue and Benson Street, said agreement to contain the recommendations contained in the memorandum from the City Solicitor dated November 2, 1979 attached hereto as Schedule "A" (4 Pages), be approved,

- and further -

That the Mayor and City Clerk be authorized to execute said agreement.

(Note: A copy of the agreement is attached hereto as Schedule "B", 18 pages)

CARRIED 14:1

That, as recommended by the City Treasurer, the action of the Mayor, Chief Administrative Officer and City Treasurer, in accepting the tender of A. E. Ames & Company Limited, Richardson Securities of Canada, and the Toronto-Dominion Bank, for the sale of City of Kingston debentures in the amount of $97.294 per $100.00 be ratified, confirmed and approved. (Interest cost 12.349%), Discount of $44,946.70 to be added to 1980 Debt Charges).

(Note: A copy of the report of the City Treasurer, which includes a tabulation of the tenders received is attached as Schedule "C" 1 Page .)

CARRIED

. Gorham withdrew at 8:55 p.m.

That, pursuant to Section 636(a) of the Municipal Act, R.S.O. 1970, Chapter 284, the applications of persons and firms listed in the attached Schedule "D" in the amount of $15,112.26 for cancellation, reduction, or refund of taxes levied for 1979 be approved.

(Note: A copy of the report of the City Treasurer is attached as Schedule "D", 2 Pages.)

CARRIED

REPORTS (Cont'd)

Report No. 111 - Chief Administrative Officer

Mayor Keyes and Ald. Lampropoulos declared a conflict of interest in Clause 4 as they are employees of the Frontenac County Board of Education.

That, as recommended by the City Treasurer, the following resolution of the Township of West Carleton concerning the equalization factors NOT BE ENDORSED as it is believed that there is no need for the City to deal with this resolution in view of the action taken by the Province of Ontario to limit the effects of these factors for 1980:

"WHEREAS the 1980 Equalization Factors are proving to be the cause of increased Regional, County and Boards of Education levies on the majority of municipalities in the Province of Ontario, resulting in estimated increases of up to 100% in some local taxes;

BE IT RESOLVED that this Council circulate to each municipality in Ontario a request to appeal their Equalization Factors to the Ontario Municipal Board with a request that the Province establish one method of assessing properties within each Region, County or other jurisdiction containing more than one member municipality.".

CARRIED 12:0

Mayor Keyes abstained from voting
Ald. Lampropoulos abstained from voting

5. That, as recommended by the City Solicitor, an agreement be entered into with Marathon Realty Company Limited, said agreement to contain the following conditions imposed by the Committee of Adjustment when approval was given to sever approximately .7 acres of land described as Parts 18 and 24 on Plan 13-R-3005 and Parts 1 and 2 on Plan 13-R-3199:

1) an easement for an existing City of Kingston storm sewer;

2) an easement for the City over the 66' wide portion of King Street road allowance to the water's edge for preservation of unobstructed view of the water from the end of the existing King Street to the water; and

3) to provide a right-of-way for public access over this same 66' wide portion of land from the end of King Street to the water's edge.

- and further -

That the Mayor and City Clerk be authorized to sign said agreement.

(Note: A copy of the report of the City Solicitor is attached hereto as Schedule "E", 8 Pages.)

CARRIED 13:1

Gorham returned at 9:00 p.m. and said that he would like to declare a con-
t of interest in Clause 5, Report No. 111, as he acted as Solicitor for the
rnment of Ontario).

. That, as recommended by the Traffic, Streets and Parking Administrator, the Ministry of Transportation and Communications be petitioned for payment of subsidy under The Public Transportation and Highway Improvement Act on expenditures on Traffic Signals made in the year 1979 in the amount of $25,205.11.

CARRIED

Respectfully submitted,

R. J. Hamilton,
Chief Administrative Officer.

Schedule "A" to Report No. 111
(Page 1)

NOV 2 1979

CONFIDENTIAL

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
City Solicitor
Our Ref. No. 0-46

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

'O: Mr. R.J. Hamilton,
Chief Administrative Officer

'ROM: Mr. Norman C. Jackson,
City Solicitor

ATE: November 2, 1979

E: Campeau Shopping Centre - Division Street

Mr. Healy distributed a copy of the proposed agreement to he members of Council with the last agenda. This agreement had not een executed by Campeau and at the Council meeting the deliberations n the agreement were set over to the meeting on November 5, 1979. have still not received the signed copy of the agreement from mpeau, but have been led to believe by their solicitor that it will here before the Council meeting, fully executed. It is to be)ted that there are three companies and Mr. Sampson who have iterests in the property through ownerships of different parts and rough leasehold interests. As a result, it was difficult for the mpeau representatives to get all of these people who are in fferent cities, together at one point in time for the execution the agreement. It has been indicated, however, that it will be ecuted in time for Monday's Council meeting.

My comments on the agreement that was distributed to the uncil members for the last Council meeting are as follows.

The Council clause previously approved on August 14, 1979 rected that the zoning by-law not be passed until discussions had ken place with the applicants with respect to the provision of arantees respecting the cost of works and related matters as one ıld expect on a site plan approval agreement. On the successful ıpletion of the above discussions, the amending by-law to ommodate the shopping centre was to be passed. As you are aware,

.../2

Mr. R.J. Hamilton,
Chief Administrative Officer

November 2, 1979

a group of staff has met with Campeau representatives to deal with the concerns that the City would have. Our group consisted of yourself, Mr. Muirhead, Mr. Linseman, Mr. DeLugt and myself. The purpose, as outlined at the beginning, was to cover certain concerns of the City, it being understood by all that Campeau Corporation would have to come back to the City before obtaining a building permit in order to go through site plan approval. It was therefore felt that we would attempt to cover broadly the concerns of the City at this point in time before the zoning by-law was passed, leaving certain details that would normally be covered under site plan approval or development control to that stage which would follow later. Campeau, at the same time, indicated that they did not have all of the details for their development at this point in time, which they would have later at the development control stage. Both parties agreed that they would enter into an agreement similar to the agreement that had been entered into respecting the 401 shopping centre site, with a certain amount of detail to be left to the site plan approval stage later.

I had indicated that I felt that the agreement should be entered into pursuant to lawful legislation and therefore the agreement was styled as a type of site plan agreement, pursuant to our site plan by-law, No. 79-159. However, the agreement clearly states in Sections 23 and 24 that this agreement will not be in full satisfaction of the City's development control requirements and that Campeau are obligated to file further plans with the City and to enter into further agreements at the site plan approval stage, prior to the issuance of a building permit.

I suggested to Campeau that the word "hotel" be added in he second "WHEREAS" paragraph on the second page of the agreement, o indicate the nature of the development. Paragraph 1 indicates hat the final approval of the zoning by-law might be some time ff in the future, due to appeals, either to the Courts or to the ntario Cabinet and the time set out is meant to be the time after ll appeals have been taken by any third parties. This is impor-ant since Campeau will have a time limit in the agreement, in lause 3 to commence construction and to complete the centre. The onstruction is to commence within 12 months of the final approval f the rezoning by-law, and to be completed within three years of uch approval.

In Clause 2, Campeau agreed to build a shopping centre accordance with the plan attached to the agreement. This plan s presented to Mr. Muirhead and found to be acceptable at this age of the proceedings, it being understood that a more detailed an will be submitted for site plan approval to the City and ould an Ontario Municipal Board hearing be required, the City at at stage also can require more detailed plans.

.../3

Schedule "A" to Report No. 111
(Page 3)

Mr. R.J. Hamilton,
Chief Administrative Officer

November 2, 1979

I have asked Campeau representatives to remove the word "substantially" from the third line of Clause 2 so that the construction would have to be in accordance with the approved plans and any changes would have to be made through City Council. As well, they have added that the City could request further plans prior to an Ontario Municipal Board hearing, if same is required.

Respecting Clause 4, Campeau have agreed to deposit a letter of credit in respect of legal fees. This was set out in the previous agreement with respect to the 401 centre and has carried over into this agreement. The previous agreement was $15,000.00, but provided for some increase if warranted. It was thought to be reasonable to increase the total to $20,000.00 since certain circumstances had changed involving a smaller undertaking and the City now having a full time solicitor.

In Clause 5, Campeau have agreed to deposit a second letter of credit in respect of their failure to meet the completion date for the centre as set out previously in the agreement in Clause 3.

Campeau's plans for traffic specifications were not finalized in that previous discussions with Mr. Linseman had been vith respect to a regional size centre. Since the size of the entre was being cut approximately in half, it would necessitate lifferent traffic specifications and as a result further study. n this connection, it was thought by the City's committee that Clauses 6, 7, 8 and 9 adequately protect the City's interest at his point in time. The plans respecting ingress and egress and ny necessary road improvements, widenings, re-alignments, etc. ill be done by an independent traffic consultant, acceptable to he City and the developer. Most important, however, subsequently, he final design must be approved of by the City. Road dedications ill be settled once a legal survey plan has been undertaken by ampeau pursuant to Clause 7. In Clause 8 the costs again are pportioned with Campeau assuming its responsiblity, with respect o the 75% cost of land acquisition of the McNutt property. The cNutt property was previously to be acquired with the developer o pay 50% in respect of its acquisition cost in the Benson centre evelopment. Since this centre was larger, it was thought that ne portion Campeau was to pay should be increased to 75%. It was ot felt reasonable that Campeau should bear 100% of the costs, ince the road alignment will serve to benefit the public and as a esult it was felt that the public should bear 25% of the cost of ne alignment which would be necessary.

Campeau has agreed to meet the concerns of the Public orks Department as set out in Clauses 10 through 21 of the greement. They are required to provide necessary services for the ntre at their cost. The City's concerns over the existing quarry

.../4

Mr. R.J. Hamilton,
Chief Administrative Officer

November 2, 1979

wall and the existing fence are set out. The lands must be appropriately graded to the satisfaction of the Commissioner of Works. A proper hydro substation and watermain must be provided.

In Clause 22 I suggested that Campeau indemnify the City in respect of any claims that may be brought in respect of a previous agreement entered into between Campeau and the City and Roman Wrzesnewskyj and Wilfried J. Studer. Likely, that agreement would not allow further claims to be made, but since it was entered into for the benefit of Campeau's proposal for a centre and since they are now indicating a second centre, it was thought reasonable that they should indemnify the City in respect of any claims that may arise from that agreement, and they have done so.

As indicated previously, Clauses 23 and 24 allow for the City to require further plans and agreements before a building permit is issued. Clause 25 allows the City to inspect the works on the property. Clause 26 provides that the matters in the agreenent shall be maintained by the developer. The only matters to be naintained by the City would be certain facilities constructed by Campeau on City property, such as sidewalks and other like services. Campeau has agreed to pay the commercial building fee in respect of sanitary sewers at 17¢ a foot, in accordance with By-Law No. 5057, is set out in Clause 27. In Clause 28, the agreement would not be enforceable against Campeau if Campeau ceases to be the tenant of he lands in Schedule "B". I have asked that it would, of course, ontinue to apply in the event that Campeau becomes the owner of hese lands, as is intended. In Clause 29 the City has agreed hat if further agreements are entered into before a building ermit is issued, that the City will release Campeau from the proisions of this agreement, it being understood that all the City's oncerns would be set out in any subsequent agreement.

I have been involved in several meetings with Campeau in espect of this agreement and feel that after having received all omments from City staff concerned, it does cover the primary oncerns that the City would have at this point in time, and I ecommend it to City Council for execution.

Norman C. Jackson,
City Solicitor

CJ/ks

Schedule "B" to Report No. 111
(Page 1)

This Agreement made the 27th day of September, 1979.

N:

JOHN BURKE SAMPSON, of the City of Kingston, in the County of Frontenac,

346483 ONTARIO LIMITED, a corporation incorporated under the laws of Ontario

(hereinafter collectively called "Owner")

OF THE FIRST PART

CAMPEAU CORPORATION, a corporation continued under the laws of Ontario

346483 ONTARIO LIMITED, a corporation incorporated under the laws of Ontario

(hereinafter collectively called "Developers"

OF THE SECOND PART

369662 ONTARIO LIMITED, a corporation incorporated under the laws of Ontario

(hereinafter called the "Lessee")

OF THE THIRD PART

The Corporation of the City of Kingston

(hereinafter called the "City")

OF THE FOURTH PART

WHEREAS the Developers have applied to the City to change the zoning the lands described in Schedules "A" and "B" hereto annexed;

AND WHEREAS 346483 Ontario Limited is the registered owner of the ds described in Schedule "A".

AND WHEREAS John Burke Sampson is the registered owner of the lands
ed in Schedule "B" subject to a lease to the Lessee which Campeau
ion has an option to purchase.

AND WHEREAS the City has approved of the zoning change in accordance
provisions of the draft by-law annexed hereto as Schedule C,
sted by Campeau, to permit the erection of a shopping centre of 180,000
eet of gross leaseable area and other permitted uses on the lands described in Schedules "A" and
ect to the Developers and the Owners of the lands entering into a
ent agreement.

AND WHEREAS the Corporation of the City of Kingston has passed a Site
trol By-Law pursuant to Section 35(a) of The Planning Act;

NOW THEREFORE THIS AGREEMENT WITNESSETH that in consideration of the
ne Dollar of lawful money of Canada, paid by the City to the Owner (the
whereof is hereby acknowledged), and other good and valuable
ation, and in consideration of the following covenants and the approval
by the City ;

THE PARTIES COVENANT AND AGREE WITH EACH OTHER AS FOLLOWS:
hrase "final approval of the re-zoning by-law" in this agreement shall
date when the City has approved the use of the Schedule "A" and "B"
a shopping centre and if such approval shall be appealed to the Ontario
Board, then upon the approval of the Ontario Municipal Board, and the
n of any appeal period therefrom, or if there is an appeal, then upon
etion of the final adjudication including all possible appeals or the
n of all appeal periods and the zoning by-law is in full force and

ct to the provisions of paragraph 5 hereof and provided final approval
-zoning by-law is obtained, the Developers covenant and agree to build
centre on the lands described in Schedules "A" and "B" ~~substantially~~
nce with the Plan entitled Campeau Shopping Centre, Kingston Ontario,
-schematic and dated October, 1979, Job No. K79-17, and prepared by
olson, Thompson, Laframboise and Mallette and approved by the City, a
ich is on file with the city and a copy of which is annexed hereto as
D" and in accordance with the terms and conditions of this
.

Schedule "B" to Report No. 111
(Page 3)

3. Construction of a shopping centre by the Developers shall commence within twelve months following the final approval of the re-zoning by-law. The shopping centre shall be completed within three years of such approval. The commencement date and the completion date shall be extended by a period equivalent to the period of delays caused by strikes, acts of God, or delays due to the issuance of a permit caused by the City, or any other matter beyond the reasonable control of the Developers.

4. At least ten (10) days prior to the date for The Ontario Municipal Board Hearing of the Re-zoning By-law, if any, the Developers shall deposit with the City a Letter of Credit for the sum of TWENTY THOUSAND DOLLARS ($20,000.00), being security for the payment of the City's legal fees and disbursements which the City agrees will not exceed $20,000.00. If the Ontario Municipal Board approves of the zoning by-law amendment, this deposit will be refunded in full upon the issuance to the Developers of a building permit. If the application is not approved by the Ontario Municipal Board, this deposit shall be retained by the City. If the legal fees and disbursements are less than $20,000.00, the City will refund any over-payment to the Developers and the City shall furnish the Developers reasonable evidence of the legal fees and disbursements of the City.

5. At least ten (10) days prior to the date for the Ontario Municipal Board Hearing of the re-zoning by-law, the Developers shall deposit with the City, a letter of credit in the amount of twenty thousand dollars ($20,000.00) payable to the City in the event the Developers fail to complete the shopping centre by the completion date set out in paragraph 2 and the deposit of such letter of credit is hereby accepted by the City in lieu of any other claim, demand, damages or costs whatever which the City might have resulting from the failure of the Developers to complete the shopping centre. In the event the final approval of the re-zoning by-law is not obtained or upon completion of the shopping centre, this letter of credit shall be returned to the Developers in full.

. A traffic consultant mutually acceptable to the Developers and the City shall make recommendations regarding the design and specifications and egress nd ingress roads to and from the centre and any necessary road improvements, idenings and re-alignments in connection with such ingress and egress routes. he fees of the traffic consultant will be paid by the Developers and the evelopers shall also pay the construction costs of any such requried road mprovements, widenings and re-alignmnets. The Developers shall provide to the ity a legal plan of survey of the site including the Division Street frontage. he final design shall be subject to the approval of the City. It is understood hat the Plan referred to in Paragraph 2 hereof is schematic and in the event hat there is an Ontario Municipal Board Hearing the Developers agree to provide dditional detailed site plans showing ingress/egress and clairfying all aspects of

Schedule "B" to Report No. 111
(Page 4)

ffic circulation.

e Developers shall construct within the existing road allowance owned by
y or a future road allowance acquired by the City, a sidewalk along the
de of Division Street and along the south side of Benson Street where it
ne shopping centre and on the north side of Weller Avenue where it abuts
ping centre from Division Street to Weller Avenue Place.

Developers shall pay 100 percent of the construction costs of realigning
rsection at Benson and Division from the East Limit of Division at
o the easterly limit of the road re-alignment and seventy five percent
osts of the land acquisition required for the widening of Benson on a portion ~~that~~
the McNutt property which property is shown outlined in red on Schedule "~~A~~ C". The Developer
so pay the construction costs of road improvements required for ingress
ss from the shopping centre. The design and specifications of the
nent, all such road improvements and any widening required of Division
ncluding the southern approach will be determined by a traffic
nt mutally acceptable to the Developers and the City and shall be
to the satisfaction of the Traffic and Street administrator of the City.
of the traffic consultant will be paid by the Developer.

Developers shall provide rear access from the shopping centre to the
y of J.D. Lee if consented to by J.D. Lee as shown on the site plan for
as the J.D. Lee property is used for commercial office purposes. If the
such property changes, the Developers may erect a fence between that
y and the shopping centre.

e Developers shall endeavor to maximize storm water storage within the
nent described in Schedules "A" and "B", in order to minimize unusual
loads on the downstream sewer system of the City. The Developers shall
e cost of improving the downstream storm sewer system, as required by the
order to accept the total anticipated flow, from the point of
on of the development to the existing culvert, approximately 136 feet
Benson Street and such improvements shall be limited to the area within
feet of Benson Street. The detailed design of these sewers, as well as
m sewers within the site, which will drain municipal road allowances,
approved by the Commissioner of Works and the Ministry of Environment.

Developers shall complete the curb and gutter along the frontage of the
centre where it abuts the south side of Benson Street in accordance
cifications in effect in the City of Kingston at the date the building
or the shopping centre is issued.

ect to the provisions of paragraph 8, all entrances, exits,
ion lanes, parking lanes, internal traffic circulation roads,
ion lanes and drainage works shall be subject to the approval of City.

Schedule "B" to Report No. 111
(Page 5)

The construction of all other road works and sewer mains within the road
ance, and sewers within the property described in Schedules "A" and "B"
will drain municipal road allowances, shall be supervised and inspected by
ity. The Developers shall post a letter of credit in the amount of the
ated value of these works, and as well, provide an administration fee of
the total value of the works. An initial deposit upon issuance of the
ing Permit in the amount of 5% of the estimated cost of the works shall be
:ed to cover inspection costs. Upon satisfactory completion of the works
yment of the administration fees and inspection costs, the letter of
: shall be returned to the Developers. The above noted works shall be
ed by the Developers and subject to the approval of the City.

he Developers shall provide easements over any internal sewers which drain
pal road allowances.

he Developers shall provide for drainage entering the site over the quarry
or through the quarry walls, in a manner reasonably satisfactory to the
sioner of Works.

ne Developers shall extend the existing fence along the perimiter of the
sides of the quarry wall in order to prevent pedestrian access.

e Developers shall make arrangements for garbage storage and removal to
isfaction of the City.

e Developers shall provide a grading plan for the lands described in
es "A" and "B" and "E" hereto, satisfactory to the Commissioner of

or to the issuance of a building permit, the Developers shall provide
ing drawing for the approval of the Commissioner of Works, showing all
g and proposed internal and external services and road works. The
rs shall also provide, before a building permit is issued, a grading
the approval of the Commissioner of Works, showing all existing and
grades within the site, and sufficient grades within the adjoining
establish the effect of the proposed grades on the adjoining lands.

Developers shall provide a looped watermain throughout the Project
t in diameter to meet the building code requirements for the shopping
d all requirements of the Insurers Advisory Organization, such
to run between the watermain on Benson and Division Streets. The
s shall also provide fire hydrants 325 feet apart and shall pay all
nnection charges to the 16 inch watermain on Benson Street.

Schedule "B" to Report No. 111
(Page 6)

The Developers shall provide a transformer substation on the shopping e site sufficiently sized to meet the requirements of the Public Utilites ssion.

Campeau shall provide a release to the City in respect of an agreement September 22, 1975 between Roman Wrzenewskyj, Wilfred J. Studer and au Corporation. If Campeau, while releasing the City from its portion of greement, cannot obtain a release from Roman Wresnewskyj and Wilfred J. r, Campeau shall provide indemnification in respect of any claims or ns that may be brought by Roman Wresnewskyj and Wilfred J. Studer, arising said agreement. Upon delivery of the indemnification of the City shall any bonds, letters of credit, monies or other securities if any held by ty in respect to that September 22, 1975 agreement, to Campeau.

he City agrees that this agreement has been entered into prusuant to No. 79-159 and Section 35(a) of the Planning Act, but that this agreement not be considered as being in full satisfaction of the requirements of 79-159 and Section 35(a) of the Planning Act.

he Developers covenant and agree to file with the City any plans normally ed by the City and to enter into a further development agreement, if ed by the City, incorporatingthe terms of this agreement and those matters ed to in by-law 79-159 and Section 35(a) of the Planning Act.

e Owners hereby grant to the City, its servants, agents and contractors, ence to enter the land described in Schedules "A" and "B" for the purpose ection of the works and to perform such work as may be required as a of a default hereunder.

e facilities and matters referred to in this agreement shall be provided Developer and maintained by the City where applicable and otherwise by elopers at their sole risk and expense and to the satisfaction of the d in default thereof, the provisions of Section 469 of the Municipal Act 1979, Chapter 284 shall apply. Wherever this agreement states that the ers shall...., this shall mean at their expense.

the case of a non-residential building or the non-residential part of a d residential and non-residential building , a charge of $0.17 for each foot of gross floor area of the shopping centre and other permitted uses which is authorized by lding permit, is payable by the Developers and this amount shall be for y sewers.

Schedule "B" to Report No. 111
(Page 7)

ML
JBS

3. The Owners and the Lessee hereby covenant to the terms of this agreement nd to the registration of this agreement against the lands described in chedules "A" and "B". The City covenants and agrees that this agreement shall ease to be enforceable against Campeau Corporation if Campeau Corporation eases to be a tenant of the Schedule "B" lands provided Campeau Corporation is t the owner of the Schedule "B" lands.

. This Agreement shall be registered against the lands described in Schedules " and "B" and the registration fee shall be paid by the Developers. In the ent a new development agreement for the lands described in Schedules "A" and ' is entered into pursuant to the provisions of paragraph 23 of this reement, the City covenants upon registration of such agreement to execute a ease in registrable form of this agreement.

THE COVENANTS AND CONDITIONS of this Agreement shall be binding upon the ties to this agreement, their respective heirs, successors and assigns.

THE COVENANTS contained in this agreement shall be for the benefit of lands of the City, described in Schedule "D" hereto.

IN WITNESS WHEREOF the Owners have hereunto affixed their hands and s and Campeau Corporation, 346483 Ontario Limited have hereunto affixed r respective corporate seals under the hands of their respective duly orized officers in that behalf, and the City has hereunto affixed its orate seal under the hands of its Mayor and City Clerk.

ED SEALED AND DELIVERED
In the Presence of

JOHN BURKE SAMPSON

Per: John. Burke Sampson

3 ONTARIO LIMITED

CAMPEAU CORPORATION
Per:
EXECUTIVE VICE-PRESIDENT
Per:
VICE PRESIDENT AND SECRETARY

2 ONTARIO LIMITED

THE CORPORATION OF THE CITY OF KINGSTON
Per: ____________________

Per: ____________________

SCHEDULE A

L AND SINGULAR that certain parcel or tract of land and premises situate,
ing and being in the City of Kingston, the north half of Lot 1, as shown on
istered Plan 68 in the said City, which said parcel or tract of land may be
e particularly described as follows:

MENCING at the south-east angle of Lot 1, as shown on Registered Plan
in the said City, which point is in the limit between the north half and the
th half of Lot 1, distant therein Easterly 210 feet from the east limit of
ison Street;

CE north 83 degrees 29 minutes east in the fence marking the limit between
north half and the south half of Lot 1, a distance of 270.48 feet, more or
, to the west boundary of an easement held by the Hydro-Electric Power
ission of Ontario;

CE north 17 degrees 32 minutes 10 seconds east in the west limit of the said
ent, a distance of 579.36 feet more or less;

E westerly in a curve to the left or radius 186 feet, an arc distance of
feet to the end of the curve, being an equivalent chord distance of 66.58
on a bearing of north 85 degrees 52 minutes 52 seconds west;

E south 83 degrees 48 minutes 30 seconds west 442.12 feet, more or less, to
dard iron bar planted in the north-east angle of Lot 9, Registered Plan

south 6 degrees 11 minutes 30 seconds east in the east limit of
ereed Plan 401, a distance of 543 feet, more or less, to the point of
cement.

to an easement over the southerly 10 feet of the above-described

SCHEDULE B

. AND SINGULAR that certain parcel or tract of land and premises, situate
ng and being in the Province of Ontario and in the City of Kingston,
prising Part of the South half of Lot 1 according to the Registered Plan No.
in said City, which said parcel or tract of land may be more particularly
cribed as follows:

MISING that the bearing mentioned herein are astronomic and are referred to
meridian through the northeasterly angle of Lot 24 in Concession in said
y of Kingston.

INNING at an iron survey post in the northerly limit of Weller Avenue marking
southerly angle of Registered Plan No. 1592;

NCE North 3 degrees, 48 minutes, 50 seconds West along the westerly limit of
stered Plan No. 1592 a distance of 196.95 feet to the POINT OF COMMENCEMENT
he herein described parcel of land;

CE continuing North 3 degrees, 48 minutes, 50 seconds West along said
erly limit of Registered Plan No. 1592 a distance of 1012.09 feet to the
e-line marking the limit between the north and south halves of Lot 1
rding to Registered Plan No. 68;

CE south 84 degrees, 21 munutes, 10 seconds West along and said last
ioned limit a distance of 803.21 feet;

E south 83 degrees, 43 minutes, 30 seconds West continuing along said limit
tance of 364.80 feet;

E South 6 degrees, 06 minutes, 30 seconds East a distance of 128.25 feet;

E South 83 degrees, 53 minutes, 30 seconds West a distance of 225.00 feet
e easterly limit of Division Street;

E South 6 degrees, 06 minutes 30 seconds East along said easterly limit of
ion Street a distance of 643.30 feet to the northerly limit of Weller
e;

South 89 degrees, 33 minutes, 20 seconds East along said northerly limit
ler Avenue a distance of 160.53 feet;

South 8 degrees, 38 minutes, 10 seconds East a distance of 43.32 feet;

NCE South 89 degrees, 33 minutes, 20 seconds East along said northerly limit Weller Avenue as expropriated by Plan No. 1504 a distance of 44.71 feet;

NCE continuing along said limit of Weller Avenue as defined by said plan No. 4 on the following courses and distances:

On a curve to the right of radius 176.24 feet an arc distance of .29 feet having an equivalent chord measurement of 239.48 feet on a bearing South 46 degrees, 45 minutes, 28 seconds East to the intersection with the therly limit of Lot 1 according to Registered Plan No. 553;

NCE North 84 degrees, 08 minutes East along said northerly limit of Lot 1, istered Plan No. 553 a distance of 102.77 feet more or less to an iron survey marking the northeasterly angle of said Lot;

ICE North 84 degrees, 02 minutes, 15 seconds East along a fence-line a ance of 570.88 feet to an iron survey post marking the northeasterly angle ot 1 according to Registered Plan No. 551;

CE North 84 degrees, 14 minutes, 30 seconds East a distance of 320.15 feet or less to the point of commencement.

HEREIN described parcel of land is shown outline in a heavy border on a plan umphries and Burgham, Ontario Land Surveyors, dated the 17th day of ember, 1975 and numbered for reference purposes as No. 22415, which said forms a part of this legal description.

ND SINGULAR that certain parcel or tract of land and premises, situate and being in the Province of Ontario and in the City of Kingston, ising Part of the South half of Lot 1 according to Registered Plan No. 68 id City, which said parcel or tract of land may be more particularly ibed as follows:

SING that the bearings mentioned herein are astronomic and are referred to eridian through the northeasterly angle of Lot 24 in Concession 2 in said of Kingston.

NCING at an iron survey post in the northerly limit of Weller Avenue ng the southwesterly angle of Registered Plan No. 1592;

North 3 degrees, 48 minutes, 50 seconds West along the westerly limit of egistered Plan No. 1592 a distance of 196.95 feet;

South 84 degrees, 14 minutes, 30 seconds West a distance of 320.15 feet r less to an iron survey post marking the northeasterly angle of Lot 1 ing to Registered Plan No. 551;

Schedule "B" to Report No. 111
(Page 11)

ENCE South 4 degrees, 26 minutes, 45 seconds East along said easterly limit of t 1, Registered Plan No. 551, a distance of 209.88 feet to the northerly mit of Weller Avenue;

ENCE North 84 degrees, 14 minutes, 30 seconds East along said last mentioned mit a distance of 317.84 feet;

ENCE North 3 degrees, 48 minutes, 50 seconds West a distance of 13 feet to the int of commencement;

Schedule "B" to Report No. 111
(Page 12)

Schedule "C" Clause 4, Report No. 108, 1979

BY-LAW NO. 79-253

A BY-LAW TO AMEND BY-LAW NO. 8499, "RESTRICTED AREA (ZONING) BY-LAW OF THE CORPORATION OF THE CITY OF KINGSTON" (REZONE LANDS EAST SIDE OF DIVISION STREET NORTH OF WELLER AVENUE FROM C2, C2.79 and C2.101 (ARTERIAL COMMERCIAL) TO ZONE C2.101 (ARTERIAL COMMERCIAL))

PASSED: November 5th, 1979

The Council of The Corporation of the City of Kingston enacts as follows:

1. By-Law No. 8499 of The Corporation of the City of Kingston entitled "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston", as amended, is hereby further amended as follows:

A. Zoning Map No. 3 showing land located on the east side of Division Street north of Weller Avenue, being approximately 14.0 ha, is hereby amended by changing the zoning from Zone C2, C2.79 and C2.101 (Arterial Commercial) to Zone C2.101 (Arterial Commercial), as shown on the copy of Zoning Map No. 3 which is attached hereto and marked as Schedule "A"; and Zoning Map No. 3 referred to in Section 2.2 of By-Law No. 8499 is hereby repealed and the attached Zoning Map No. 3 marked as Schedule "A" is substituted therefor, insofar as the property located on the east side of Division Street north of Weller Avenue is concerned.

2. By-Law No. 8499 is further amended by repealing Section 101 and by substituting therefor the following Section 101:

101. On the approximately 14.0 ha parcel of land located on the east side of Division Street north of Weller Avenue and designated C2.101 on Zoning Map No. 3 attached to and forming part of By-Law No. 79-253 as Schedule "A":

(a) The permitted uses shall only be as follows:

(i) A shopping centre containing the following:

(1) a food store with a maximum gross leasable area of 3511 m^2;

(2) a department store with a maximum gross leasable area of 6940 m^2;

(3) additional retail stores, including offices with a combined maximum gross leasable area of 6270 m^2, provided that

no one such retail store has a maximum gross leasable area exceeding 929.0 m^2 which may include the following uses:

(A) Banks

(B) Bowling Alleys, Theatres, Auditoriums

(C) Brewers' Retail Store and Liquor Store.

(ii) Motels or Hotels and accessory uses incidental solely to this use which may include restaurants and lunch counters.

(iii) Municipal publicly owned utility and government buildings or facilities and telephone exchanges.

(iv) Indoor and outdoor athletic and sports facilities, including open or enclosed stadiums.

(b) For the purpose of this section only, the area that is zoned C2.101 shall be considered to be one lot.

(c) The Minimum Required Front Yard shall be 9.0 m.

(d) The Minimum Required Off-Street Parking spaces for a shopping centre shall be 5 spaces for every 93.0 m^2 of gross leasable area.

(e) Off-Street Parking may be permitted in a required side yard.

3. In this by-law:

(a) "m" shall mean meters;

(b) "m2" shall mean square meters; and

(c) "ha" shall mean hectare.

4. This by-law shall come into force and take effect after notice has been given pursuant to Subsection 25 of Section 35 of The Planning Act, R.S.O. 1970, Chapter 349, and Regulation 597 of 1979, on the date following the notice as prescribed by the Regulation if no objection is filed with the Clerk of The Corporation of the City of Kingston. However, if an objection to the by-law is filed with the Clerk of The Corporation of the City of Kingston pursuant to the notice prescribed by the above noted Regulation, the by-law shall not come into effect without

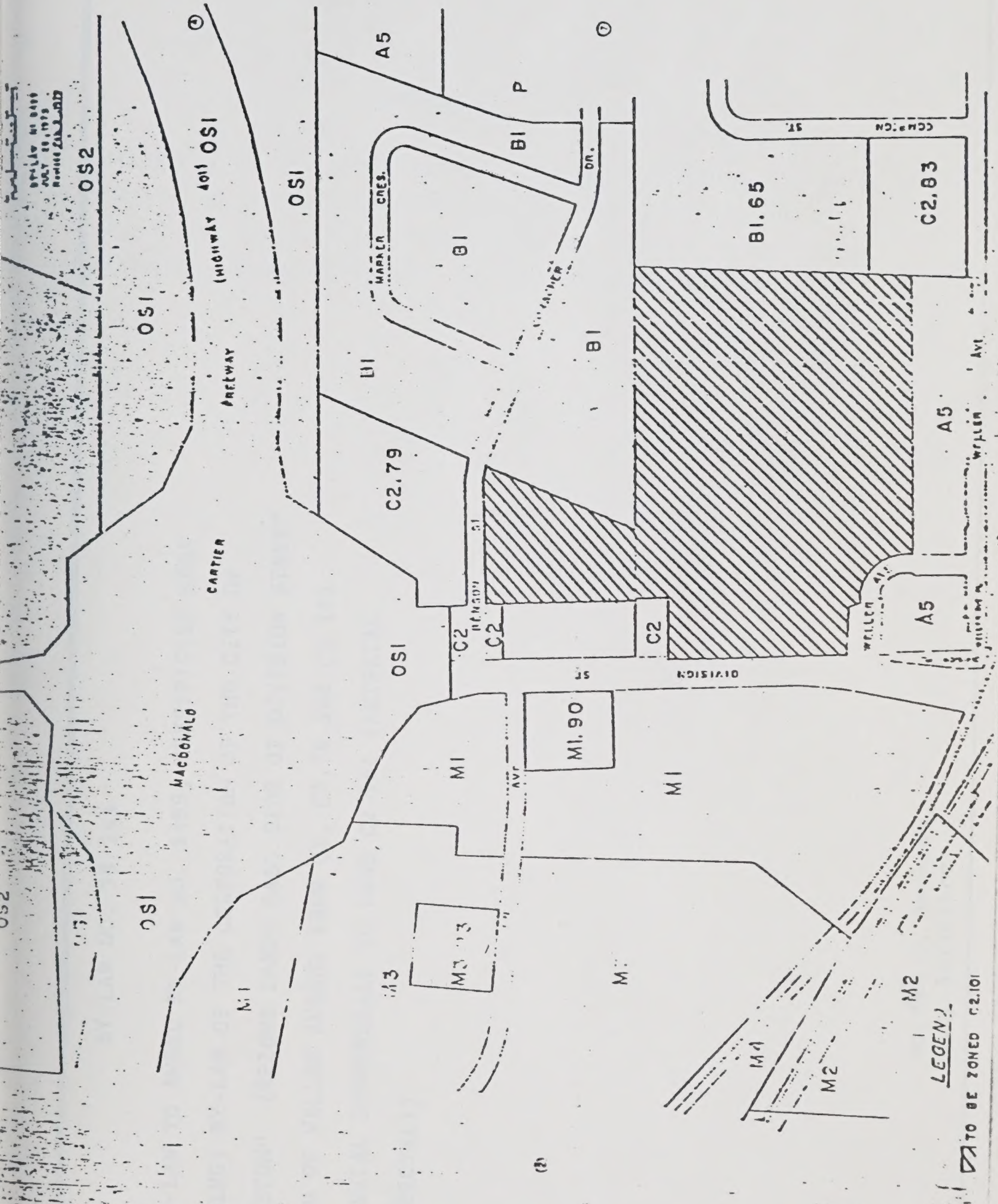
the approval of the Ontario Municipal Board pursuant to Subsection 26 of Section 35 of The Planning Act, R.S.O. 1970, Chapter 349.

GIVEN FIRST AND SECOND READINGS October 29, 1979.

GIVEN THIRD READING AND FINALLY PASSED November 5th, 1979.

CITY CLERK MAYOR

Schedule "B" to Report No. 111
(Page 15)


OS2
OS1
HIGHWAY 401
MACDONALD CARTIER FREEWAY
A5
P
B1
HARPER CRES.
DR.
B1.65
C2.83
CAMERON ST.
C2.79
C2
BENSON ST.
DIVISION ST.
WELLER AVE.
A5
M1.90
M1
AVE.
M3
M2
M4
LEGEND
TO BE ZONED C2.101

Schedule "B" to Report No. 111
(Page 16)

BY-LAW NO. 79-253

A BY-LAW TO AMEND BY-LAW NO. 8499, "RESTRICTED AREA (ZONING) BY-LAW OF THE CORPORATION OF THE CITY OF KINGSTON" (REZONE LANDS EAST SIDE OF DIVISION STREET NORTH OF WELLER AVENUE FROM C2, C2.79 and C2.101 (ARTERIAL COMMERCIAL) TO ZONE C2.101 (ARTERIAL COMMERCIAL))

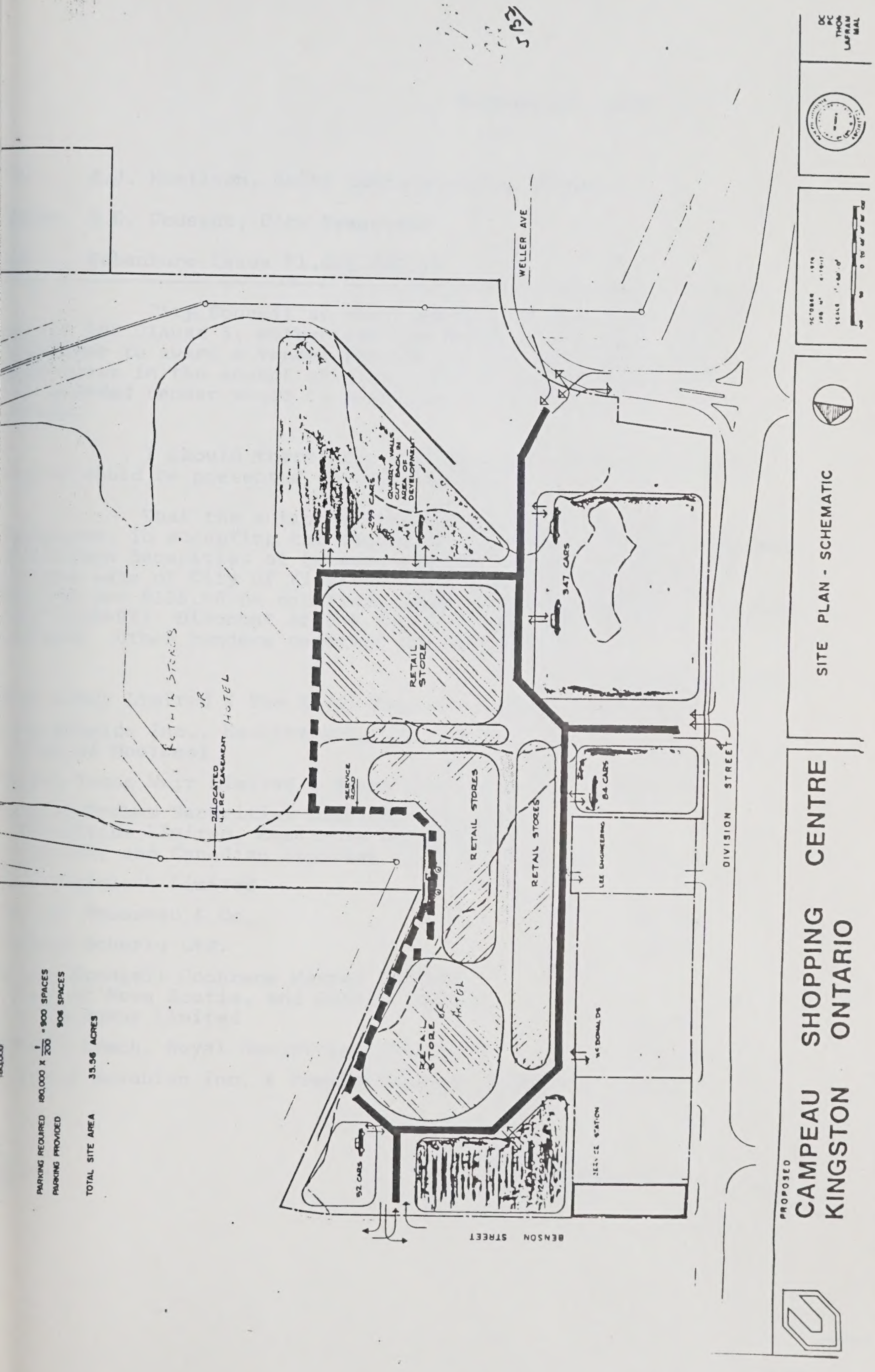
Norman C. Jackson,
City Solicitor

Schedule "B" to Report No. 111
(Page 17)

SCHEDULE E

L AND SINGULAR that certain parcel or tract of land and premises, situate ing and being in the Province of Ontario and in the City of Kingston, the County of Frontenac, and being composed of the whole of Lots 1, 2, 3, 4 d 5; according to a Plan registered as No. 401, for the said City.

Schedule "B" to Report No. 111
(Page 18)


PROPOSED
CAMPEAU SHOPPING CENTRE
KINGSTON ONTARIO
SITE PLAN - SCHEMATIC
OCTOBER 1979
DIVISION STREET
BENSON STREET
WELLER AVE
RETAIL STORE
RETAIL STORES
RETAIL STORES
RE-AIL STORE OR HOTEL
RETAIL STORES OR HOTEL
347 CARS
84 CARS
299 CARS
52 CARS
QUARRY WALLS CUT BACK IN AREA OF DEVELOPMENT
SERVICE ROAD
LEE ENGINEERING
McDONALDS
SERVICE STATION
RELOCATED H.E.C. EASEMENT
PARKING REQUIRED 180,000 x 1/200 = 900 SPACES
PARKING PROVIDED 906 SPACES
TOTAL SITE AREA 35.56 ACRES

Schedule "C" to Report No.111
(Page 1)

October 31, 1979

TO: R.J. Hamilton, Chief Administrative Officer

FROM: B.G. Cousens, City Treasurer

RE: Debenture Issue $1,661,000.00

City Council at their meeting of October 1, 1979, Report 100 Clause 5, authorized the Mayor, C.A.O. and City Treasurer to award a tender for the sale of City of Kingston Debentures in the amount of $1,661,000.00 on the basis that the awarded tender would be presented to Council for ratification.

I should therefore, appreciate it if the following clause could be presented to City Council.

That the action of the Mayor, C.A.O. and City Treasurer, in accepting the tender of A.E. Ames & Company Limited, Richardson Securities of Canada, and the Toronto-Dominion Bank, for the sale of City of Kingston debentures in the amount of $97.294 per $100.00 be ratified, confirmed and approved. (Interest cost 12.349%) Discount of $44,946.70 to be added to 1980 Debt Charges. Other tenders received are as follows:

	Price per $100.00
Wood Gundy Limited & The Royal Bank of Canada	$ 97.124
Greenshields Inc., Nesbitt Bonguard and the Bank of Montreal	97.226
cLeod Young Weir Limited & Burns Fry Limited	96.43
Burgess Graham Securities Limited, Dominion Securities Limited, Equitable Securities Limited, and Canadian Imperial Bank of Commerce	96.326
ell Gouinlock Limited	96.87
olson, Rousseau & Co.	95.00
idland Doherty Ltd.	95.94
alwyn Stodgell Cochrane Murray Limited, Bank of Nova Scotia, and John G. Graham and Company Limited	96.76
errill Lynch, Royal Securities Limited	95.919
evesque Beaubien Inc. & Provincial Bank of Canada	96.25

GC/jt

Schedule "D" to Report No. 111
(Page 1)

OCT 29 1979

):	R. J. Hamilton, Chief Administrative Officer
OM:	B. G. Cousens, City Treasurer
TE:	October 29, 1979
BJECT:	Refund or cancellation of taxes pursuant to Section 636(a) of the Municipal Act R.S.O. 1970 Chap. 284, file 20.2.
IGIN:	Application by owner of property, or owner of business in case of business tax.
ALYSIS:	Section 636(a) of the Municipal Act gives City Council the authority to write off taxes for the following reasons: Property has become exempt. Building was razed by fire or demolished. Overcharged due to error. Liable for business tax, but has not carried on business for the entire year.
ERNATIVE:	If City Council does not grant the refund or cancellation of taxes, the applicant is entitled to a hearing by City Council, and if not satisfied, may appeal to the Assessment Review Court, County Judge and Ontario Municipal Board.
ANCIAL SIDERATION:	On these write-offs, that portion of the tax that is applicable to the school boards, is charged back to the school board. Provision for these refunds or cancellations has been made in the budget. Those businesses who have discontinued, and re-located in another area of the city are assessed by the Regional Assessment Office and are processed through the Tax Department and billed for taxes at the new location. Also any business that moves into an existing or new location are also taxed for that part of the year that they are liable for the tax. All applications for refund or cancellation of taxes are referred to the Regional Assessment Office for approval and follow-up prior to being presented to Council.
MMENDATION:	That pursuant to Section 636(a) of the Municipal Act R.S.O. 1970 Chap. 284, the applications of persons and firms listed in the attached Schedule "A" in the amount of $15,112.26 for cancellation, reduction, or refund of taxes levied for 1979 be approved.

Schedule "D" to Report No.111
(Page 2)

Application for Adjustment under Section 636a of the Municipal Act, Oct., 1979

Roll Number	Name of Applicant	Address Appealed	B R C	# of Mos.	General	Garbage	Sec. School	Pub. School	Sep. School	D. T. Levy	Penalty	Refunds		Cancellation	
												Public	Separate	Public	Separate
010 130 01300 0000 000B	C.I.B.C., Head Office	328 King	C-R	12	15.21		4.04	4.68				23.93			
010 130 01300 0050 001H	Zodiac Tours	328 King	B	12	50.47		20.08	23.29		8.48	5.10			107.42	
010 130 06400 0010 001H	June Patterson	343 King	B	9	88.94		35.37	41.04		22.59	9.40			197.34	
010 130 10700 0050 001L	Wilson F. McMahon	182 Wellington	B	7	117.75		46.82	54.34		29.54		248.45			
010 130 11500 0000 000E	Mills Office Suppliers	255 Bagot	C	5	350.93	30.43	139.58	161.93				682.87			
010 130 11500 0010 001F	Mills Office Suppliers	255 Bagot	B	6	339.82		135.10	156.80		84.06		715.78			
010 130 11600 0000 000C	Mills Office Suppliers	259-263 Bagot	R	5	70.44	7.19	29.66	34.43				141.72			
010 130 11600 0000 000C	Mills Office Suppliers	259-263 Bagot	C	5	164.54	14.27	65.45	75.93				320.19			
010 130 11600 0040 001E	McIntyre & Meiboom	263 Bagot	B	6	31.61		12.57	14.58		8.28		67.04			
010 140 00500 0000 000F	C.I.B.C. Head Office	258 Bagot	C-R	9½	185.91		49.30	57.09				292.30			
010 140 08400 0020 001M	Doug Gostlin	218 Princess	B	12	37.24		14.82	17.18		10.25		79.49			
020 050 05500 0000 000E	Mike Scrannage	527 Victoria	R	12	192.01	19.59	80.86		96.61				389.07		
020 050 10600 0000 000C	Eugene Zaremba	153 Nelson	R	8	3.61	.37	1.52	1.76				7.26			
020 060 11800 0050 001G	Gray & Smith Plumbing	558A Princess	B	12	152.88		60.81	70.56			14.20			298.45	
020 070 01100 0000 000B	Spiros Fotopoulos	490 Princess	C-R	7	100.91		26.73	31.09			7.95			166.68	
020 070 01100 0010 001C	Atlantis Sea Food	492 Princess	B	7	201.77		80.24	93.12			18.75			393.88	
020 130 07300 0080 001D	Murray Rielly	346½ Princess	B	6	116.38		46.29	53.70		17.64	11.70			245.71	
030 030 08100 0020 001A	Credit Bureau	449 Princess	B	6	130.10		51.75	60.03				241.88			
030 030 10000 0000 000G	Fronpress Realty Ltd.	493 Princess	C	12	191.10	16.58	76.01		90.81				374.50		
030 030 10000 0030 001E	Trento Vadala	493 Princess	B	12	57.33		22.80		27.24		5.35				112.72
030 080 09000 0010 001L	T. W. Troughton	140 Queen	B	9½	77.52		30.78	35.72		12.16	7.80			163.98	
030 080 10000 0020 001D	Dovers Limited	298 Bagot	B	12	115.64		46.00	53.37			10.75			225.76	
030 090 00100 0080 001B	Stamp & Coin Shoppe	303 Bagot	B	6	29.40		11.69	13.57		7.74	3.10			65.50	
030 090 02100 0010 001A	Laurentide Financial	208 Wellington	B	5	154.95		61.63	71.50		15.25		303.33			
030 090 05300 0150 001G	Avco Financial Serv	95 Princess	B //	10	470.26		187.05	217.04		42.00		916.35			
030 090 07100 0048 001E	MacLennan Associates	275 Ontario	B	7	62.02		24.66	28.62		9.10		124.40			
030 090 07100 0060 001F	Century 21, E.C.W.	275 Ontario	B	12	318.99		126.88	147.22		47.04	32.00			672.13	
030 100 00200 0010 001H	Shell Canada	285 Ontario	B	7	188.06		74.78	86.79		27.72		377.35			
030 100 05200 0010 001D	Michael Woszyna	75 Queen	B	12	107.31		42.68	49.53		26.42	11.30			237.24	
040 010 14600 0010 001K	Ted Hosler Automatic	337 Rideau	B	12	109.76		43.66	50.66			10.20			214.28	
040 100 09100 0010 001G	Maxwell Printers	Duff	B	11	319.79		127.20	147.60			29.75			624.34	
040 100 11700 0030 001A	John Greenwood	130 Railway	B	8	37.89		15.07		18.00		3.55				74.51
040 110 20000 0020 001D	Modern Roofing	29 Hickson	B	12	29.89		11.89	13.79			2.80			58.37	
040 110 22100 0010 001C	Foley Construction	190 Hagerman	B	7	158.33		62.96	73.07				294.36			
040 120 06100 0010 001D	T. A. Andre & Sons	981 Division	B	12	1256.85		499.92		597.22		117.70				2,471.69
040 120 11100 0000 000C	Michael McKeown	91 Wiley	C-R	7	5.14		1.36		1.63				8.13		
050 020 06800 0010 001L	Barry Roberts	555 Princess	B	7	344.67		137.06	159.07			32.05			672.85	
050 050 07400 0040 001K	Paul Wosazek	847 Princess	B	5	9.60		3.82	4.43			.90			18.75	
060 102 00900 0022 001D	Kiddie Kobbler	Shopping Ctre.	B	8	104.51		41.57	48.24				194.32			
060 102 00900 0023 001K	Kiddie Kobbler	Shopping Ctre.	B	8	7.84		3.12	3.62				14.58			
060 102 00900 0041 001G	Slack Shack Ltd.	Shopping Ctre.	B	11	18.42		7.32	8.50			1.70			35.94	
060 102 00900 0040 001G	Slack Shack Ltd.	Shopping Ctre.	B	11	137.44		54.67	63.43			12.80			268.34	
060 103 02100 0130 001F	Aqua Mac Pools	277 Bath	B	10	95.13		37.84	43.91			8.85			185.73	
060 103 02100 0140 001L	Aqua Mac Pools	277 Bath	B	10	23.73		9.26	10.74						43.73	
060 120 00400 0010 001K	Paul Rouleau Esso	914 Princess	B	7	721.07		286.74	332.78			53.64			1,394.23	
060 150 14501 0000 000F	Demetrious Stratis	Regent	R	6	27.49	2.80	11.58	13.43				55.30			
070 080 11900 0070 001M	Cataraqui Bay Yachts	53 Yonge	B	4	120.68		48.00	55.68			11.20			235.56	
070 150 04400 0020 001G	Filion Plumbing & Heat	10 Auld	B	12	27.93		11.11	12.89			2.60			54.53	
					7,679.26	91.23	3,020.10	2,696.75	831.51	368.27	425.14	5,100.90	771.70	6,580.74	2,658.92

CORPORATION OF THE
CITY OF KINGSTON

CE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-12

November 1, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: COMMITTEE OF ADJUSTMENT APPLICATION
CONVEYANCE FROM CANADIAN PACIFIC LIMITED
TO MARATHON REALTY COMPANY LIMITED

We are forwarding herewith a copy of an Agreement between the Corporation of the City of Kingston and Marathon Realty Company Limited, concerning the King Street road allowance to the water's edge.

Mr.Jackson, City Solicitor, is recommending that Council approve the Agreement and authorize the Mayor and the Clerk to execute same.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Mr. R.J. Hamilton

OCT 31 1979

CORPORATION OF THE
CITY OF KINGSTON

FFICE OF THE
City Solicitor

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
613 546 [illegible]

Our Ref. No: C-8

MEMORANDUM

TO: Mr. R.J. Hamilton
Chief Administrative Officer

FROM: Mr. Norman C. Jackson
City Solicitor

ATE: October 31, 1979

E: Committee of Adjustment Application No. 1113-78
Conveyance from Canadian Pacific Limited to
Marathon Realty Company Limited

anadian Pacific made application to the Committee of Adjustment to ever approximately .7 acres of land described as Parts 18 and 24 on lan 13-R-3005 and Parts 1 and 2 on Plan 13-R-3199. Parts 1 and 2 n Plan 13-R-3199 compose the western half of the extension of King treet towards the water's edge.

he Committee of Adjustment granted this application but imposed everal conditions to be contained in an agreement between the City nd the land owner. These conditions were respecting the provision of:

1) an easement for an existing City of Kingston storm sewer;
2) an easement for the City over the 66' wide portion of King Street road allowance to the water's edge for preservation of unobstructed view of the water from the end of the existing King Street to the water; and
3) to provide a right-of-way for public access over this same 66' wide portion of land from the end of King Street to the water's edge.

agreement has now been submitted by the Solicitors for Canadian cific Limited and Marathon Realty Company Limited. The conveyance the lands in question will be from Canadian Pacific to Marathon. rathon will then convey Parts 18 and 24 on Plan 13-R-3005 to the tario Government, Ministry of Government Services, in order to nally complete the land transactions necessary for the assembling land for the proposed OHIP building.

...2/

Schedule "E" to Report No. 111
(Page 3)

Mr. R.J. Hamilton
October 31, 1979

RE: Committee of Adjustment
Application No. 1113-78

Page Two

The agreement submitted satisfactorily contains the conditions imposed by the Committee of Adjustment and has been executed by Marathon Realty Company Limited who will be the owners of the portion of this land which runs from the end of the existing King Street to the water's edge.

It is, therefore recommended that this agreement, a copy of which is included herewith, be approved and Council authorize the Mayor and City Clerk to execute this agreement.

N Jackson
Norman C. Jackson
City Solicitor

NCJ:ab

Encl.

THIS AGREEMENT made in duplicate the 17th day of October, 1979.

BETWEEN:

THE CORPORATION OF THE CITY OF KINGSTON,
Hereinafter called the "CITY",
OF THE FIRST PART

- and -

MARATHON REALTY COMPANY LIMITED,
Hereinafter called the "OWNER",
OF THE SECOND PART

WHEREAS Canadian Pacific Limited has made an application to the Committee of Adjustment of the City of Kingston to sever approximately 0.7 acres of land from its land holdings;

AND WHEREAS the lands to be severed are more particularly described in the schedule attached hereto and marked as Schedule "A";

AND WHEREAS the Committee of Adjustment of the City of Kingston in its decision dated April 14, 1978 granted the consent requested, subject to the owner of the lands entering into an agreement with the City of Kingston pursuant to the provisions of Subsection 12(a) of Section 29 of The Planning Act, R.S.O. 1970, Chapter 349, respecting conditions that were imposed by the Committee pursuant to the Committee's lawful powers under the provisions of Subsection 12 of Section 29 of The Planning Act, R.S.O. 1970, Chapter 349;

AND WHEREAS Canadian Pacific Limited intends to convey the lands described in Schedule "A" to the Owner and it is appropriate for the Owner to enter into this Agreement with the City to satisfy certain of the conditions imposed by the Committee of Adjustment;

NOW THEREFORE WITNESSETH that in consideration of the granting of the aforementioned consent and in consideration of the following covenants and in consideration of the sum of ONE ($1.00) DOLLAR now paid by the City to the Owner, (receipt of which is hereby acknowledged), the parties hereto covenant and agree as follows:

Schedule "E" to Report No. 111
(Page 5)

1. The Owner hereby grants to the City an easement over the 66 foot wide portion of the land which comprises King Street as extended northerly to the water's edge. The purpose of this easement is to guarantee the preservation of unobstructed views of the water from the end of the existing King Street to the water.

2. The Owner hereby grants to the City a right-of-way over the 66 foot wide portion of the land comprising King Street as extended northerly to the water's edge. The purpose of this grant shall be to provide for public access. The location as described above shall be as described, but may be adjusted on the mutual consent of the City and any future owner of the land.

3. The Owner hereby grants to the City an easement over the existing City of Kingston 18 inch diameter storm outfall sewer.

4. The above noted grants shall take effect immediately upon the execution of this agreement and the City shall have the benefit of all of the rights of all of the above noted easements immediately upon the execution of this agreement.

5. The above noted three easements shall be used and enjoyed as appurtenant to the lands of the City described in Schedule "B" hereto, and for the benefit of the lands described in Schedule "B" hereto.

6. The three above noted easements shall permit the uninterrupted and unobstructed right, licence, authority and right-of-way in perpetuity for the City. This shall enable the public and employees and agents of the City to enter on the easement property. The servants, agents and workmen of the City shall have reasonable access, ingress and egress to the easement

lands. The Owner shall have the right fully to use and enjoy the easement property, subject always to and so as not to interfere with the rights hereby granted to the City.

7. The 66 foot easement granted by the Owner to the City for preservation of unobstructed views to the water and for a right-of-way for public access is described in the schedule attached hereto and marked Schedule "C".

8. The easement granted by the Owner to the City over the existing City of Kingston 18 inch diameter storm outfall sewer is described in the schedule attached hereto and marked Schedule "C".

9. The rights hereby granted are and shall be of the same force and effect to all intents and purposes as a covenant running with the land and this grant, including all the covenants and conditions hereby contained, shall extend to, be binding upon, and enure to the benefit of the heirs, executors, administrators, successors in title, and assigns of the parties hereto respectively, and all covenants herein contained shall be construed to be several as well as joint, and wherever the singular or masculine is used, it shall be construed as if the plural or the feminine or neuter as the case may be, had been used, where the context or the party or parties hereto so require, and the rest of the sentence shall be construed as if the grammatical and terminological changed thereby rendered necessary had been made.

10. The Owner covenants and agrees with the City that it has the right to convey the said easements.

11. The Owner covenants and agrees with the City that the City shall have quiet possession of the easements.

12. The Owner covenants and agrees with the City that it will

Schedule "E" to Report No. 111
(Page 7)

execute such further assurances of these easements as may be requisite or required by the City.

13. This agreement shall be registered against the lands of the Owner described in Schedule "C" hereto, at the expense of the Owner.

IN WITNESS WHEREOF the Party of the First Part has hereunto affixed its corporate seal under the hands of its Mayor and City Clerk and the Party of the Second Part has hereunto affixed its corporate seal under the hands of its duly authorized officers in that behalf.

THE CORPORATION OF THE CITY
OF KINGSTON

Per:____________________
Mayor

Per:____________________
City Clerk

MARATHON REALTY COMPANY LIMITED

Per:____________________
Vice-President

Per:____________________
Secretary

Schedule "E" to Report No. 111
(Page 8)

SCHEDULE "A"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston and in the County of Frontenac and Province of Ontario, and being described:

FIRSTLY:

As part of the 20 foot Lane as shown on a Plan of Subdivision registered in the Land Registry Office for the Registry Division of Frontenac (No. 13) as No. D19 and part of the Cataraqui Ordnance Water Lot, and being more particularly described as Part 24 on a Plan of Reference deposited in the said Land Registry Office as No. 13R-3005; and

SECONDLY:

As part of the Cataraqui Ordnance Water Lot, and being more particularly described as Parts 1 and 2 on a Plan of Reference deposited in the said Land Registry Office as No. 13R-3199.

SCHEDULE "B"

ALL AND SINGULAR that certain parcel or tract of land and premises situate, lying and being in the City of Kingston and in the County of Frontenac, being all of King Street as shown on the Original Plan of Survey of the City of Kingston.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTIONS

Council consented to consider Motion 1 at this meeting.

(1) Moved by Ald. Webb,
Seconded by Ald. Tarnowecky

That Council go on record as endorsing the efforts of Premier William Davis in attempting to maintain an equitable national price for gasoline and other petroleum products originating from Western Canada.

CARRIED
Ald. Knapp opposed

NOTICE OF MOTION

BYLAWS

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That By-Laws 2 to 16 be amended on Third Reading to increase the interest rates therein to 11 3/4%.

CARRIED

(B) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That By-Law No. 1 be given its First & Second Readings.

CARRIED

(C) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law No. 1 its Third Reading.

CARRIED

(D) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That By-Laws 1 to 19 be given their Third Reading.

CARRIED

A By-Law to Confirm the Proceedings of Council at its meeting held on November 5, 1979.

THREE READINGS Proposed No. 79-256
City Council Meeting No. 44, 1979

(Note: The following By-Laws 2 to 16 have been amended to increase interest rate to 11 3/4%).

A By-Law to Authorize the Borrowing upon Debentures of the Sum of $55,384.10 for Construction and Reconstruction of Sidewalks.

THIRD READING Proposed No. 79-209
Clause 4(a), Report No. 100, 1979

BYLAWS (Cont'd)

3) A By-Law to Authorize the Borrowing upon Debentures of the Sum of $392,107.02 for Construction of Asphalt Pavements.

THIRD READING Proposed No. 79-210
Clause 4(b), Report No. 100, 1979

4) A By-Law to Authorize the Borrowing upon Debentures of the sum of $61,207.90 for Construction of Storm Sewers.

THIRD READING Proposed No. 79-211
Clause 4(c), Report No. 100, 1979

5) A By-Law to Authorize the Borrowing upon Debentures of the sum of $6,661.11 for Construction of a Watermain on Russell Street.

THIRD READING Proposed No. 79-212
Clause 4(d), Report No. 100, 1979

6) A By-Law to Authorize the Borrowing upon Debentures of the sum of $68,000.00 for the Purchase of a Snow Blower.

THIRD READING Proposed No. 79-213
Clause 4(e), Report No. 100, 1979

A By-Law to Authorize the Borrowing upon Debentures of the Sum of $57,675.12 for the Reconstruction of Sidewalks (General Rate).

THIRD READING Proposed No. 79-214
Clause 4(f), Report No. 100, 1979

A By-Law to Authorize the Borrowing upon Debentures of the Sum of $185,000.00 for Improvements, Alterations and Extensions to the Water System of the City of Kingston.

THIRD READING Proposed No. 79-215
Clause 4(g), Report No. 100, 1979

A By-Law to Authorize the Borrowing upon Debentures of the sum of $195,000.00 for Alterations and Equipment for the Youth Centres.

THIRD READING Proposed No. 79-216
Clause 4(h), Report No. 100, 1979

A By-Law to Amend By-Law No. 9357, "A By-Law to Establish a Parking Lot on the South Side of Queen Street between Bagot and Montreal Streets at a Total Estimated Cost of $316,188.00 and to Provide for the Borrowing upon Debentures in the Amount of $250,000.00 at the General Rate" (Amend Interest Rate).

THIRD READING Proposed No. 79-217
Clause 4(i), Report No. 100, 1979

A By-Law to Amend By-Law No. 9246, "A By-Law to Authorize the Borrowing of $120,000.00 upon Debentures towards the Cost of Purchasing a New King Deluxe Fifty-Foot Telesquirt Pumper" (Amend Interest Rate)

THIRD READING Proposed No. 79-218
Clause 4(j), Report No. 100, 1979

A By-Law to Authorize the Borrowing upon Debentures of the Sum of $16,329.43 for Construction of a Storm Sewer and Outlet Ditch in the Parkway.

THIRD READING Proposed No. 79-219
Clause 4(k), Report No. 100, 1979

BYLAWS (Cont'd)

A By-Law to Authorize the Borrowing upon Debentures of the Sum of $11,131.32 for Construction of a Watermain on Queen Mary Road.

THIRD READING Proposed No. 79-220
Clause 4(1), Report No. 100, 1979

A By-Law to Authorize the Borrowing upon Debentures of the Sum of $92,504.00 for Improvements at Norman Rogers Airport.

THIRD READING Proposed No. 79-221
Clause 4(m), Report No. 100, 1979

A By-Law to Authorize the Borrowing upon Debentures of the sum of $150,000.00 for Improvements, Alterations and Extensions to the Water System of the City of Kingston.

THIRD READING Proposed No. 79-222
Clause 4(n), Report No. 100, 1979

A By-Law to Consolidate Certain By-Laws and to Provide for the Issue of One Series of Debentures in the Amount of $1,661,000.00 in Canadian Funds.

THIRD READING Proposed No. 79-223
Clause 4(o), Report No. 100, 1979

A By-Law to Repeal By-Law No. 9235, "A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.6 Acre Parcel of Land Located on the East Side of Montreal Street, North of Railway Street from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to A.153 (One and Two Family) Residential)".

THIRD READING Proposed No. 79-249
Clause 1(a), Report No. 108, 1979

A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone 0.24 ha Parcel of Land on East Side of Montreal Street, North of Railway Street from Zone E (Heavy Industrial) of Zoning By-Law No. 3077 to Zone A.153 (One and Two Family) Residential).

THIRD READING Proposed No. 79-250
Clause 1(b), Report No. 108, 1979

A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of the Corporation of the City of Kingston" (Rezone Lands East Side of Division Street North of Weller Avenue from C2, C2.79 and C2.101 (Arterial Commercial) to Zone C2.101 (Arterial Commercial)).

THIRD READING Proposed No. 79-253
Clause 4, Report No. 108, 1979

Ald. Knapp opposed

* * *

UNFINISHED BUSINESS

Mayor Keyes reminded the members of Council of the City Hall Staff Christmas Party on Saturday, December 8th 1979, at the Holiday Inn. The bar would be open at 7:00 p.m. and the dinner would be held at 7.30 p.m. followed by a dance. The admission charge would be $15.00 per couple. Tickets for the dance could be obtained from Mrs. M. Houghton.

Alderman Timmins asked if the proposed joint meeting between City Council and the Planning Board on "A Zone" and "High Density" was open for public participation.

Mayor Keyes said that this was originally billed as a joint meeting of Planning Board and City Council without public participation but he could not see any reason why the public could not have input.

Alderman Timmins said that he had had the impression that this was to be a City Council Meeting and members of Planning Board were invited to attend.

Alderman Timmins tabled a letter he had received from Aunt Lucy's Restaurant with regard to the widening of Princess Street and requested that copies be distributed to the members of Council. It is stated that the creation of a right hand turn lane off Portsmouth Avenue will create a traffic hazard for west bound vehicles on Princess Street, down the hill and past Aunt Lucy's. The new lane would also be detrimental to the operation of this business as it would be more difficult for a customer to safely turn right into the new entrance while competing with traffic emerging from Portsmouth Avenue to continue west bound on Princess. Strong opposition is made to both Plans A and B forwarded in a letter of October 17th and to the media plan as previously stated. It is further stated that the present experience with the difficulty of entrances and exits has only highlighted future problems in that a drop in business has been experienced which could be a financial disaster. It is requested that this matter be carefully considered by the City Engineering Department.

Alderman Clements withdrew at 9.05 p.m.

Mayor Keyes suggested that a meeting should be arranged with the owners of properties in the area and an attempt made to reach a satisfactory solution.

Alderman Timmins said that he would like to comment on the copy of the letter he had received from Mr. P. Radley, Solicitor to the Chief Administrative Officer. He believed that something should be done. The City Solicitor should look the letter over as there are some questions put forward by Mr. Radley. He disagrees with many of the statements made but two excellent points were made and Council should take some type of action. It was suggested that the City had not lived up to some of the rules. It may be that an apology is in order.

Mayor Keyes said that it may be the letter should be referred to the Planning Board with the request that the Planning Board review the policies with regard to official plan amendments.

Mr. Hamilton said that he had received a letter from Aunt Lucy's asking for a meeting with the staff. He had attempted to set up such a meeting that day but was not able to do so. He would continue in his efforts to set up a meeting and if the owner of Aunt Lucy's is not satisifed with the results then he could be asked if he would like to address Council.

Mayor Keyes said that it was his understanding that the owner of Aunt Lucy's had been made fully aware of the proposed plans, had seen them and had verbally approved them.

UNFINISHED BUSINESS (Cont'd)

Alderman Tarnowecky saidthat in November, the Council was led to believe that the owner of Aunt Lucy's was appraised of the situation and it was at that time, application was made to the Ministry of Transportation and Communication. It was his understanding that all property owners were once again approached when the plans were amended because property owners had objected to certain entrances and exits. It was also his understanding that property owners in the area approved of the amendments and were in agreement at that time prior to sending the amended plans to the Ministry of Transportation and Communication. If this was not the case then he believed that the owner of Aunt Lucy's should be permitted to make representations at this time.

lderman Clark said that he had received complaints with regard to the oise at the Commordore Hotel at closing time. He requested Mayor Keyes o ask for increased police surveillance in that area.

lderman Clark said that he would like the Public Utilities Commission o look into the possibility of having a bus shelter at the corner of rincess and Regent Streets. Perhaps as a temporary measure, the bus helter across the street could be moved over in front the the Alcan uilding on Princess Street.

lderman Clark said that approximately three weeks ago it was brought to is attention,and he had mentioned the matter at Council, that the sound ystem should be improved. He asked if anything had been done about this atter.

r. Hamilton said that he had referred the matter to the Commissioner of arks and Recreation. He believed that it was the conern of the viewers hat they could not hear the administrators speaking. Some additional icrophones had been installed.

ayor Keyes said that there is trouble with the sound system within the ouncil Chamber. It had been proposed last year at budget time to take ut the existing mikes and replace them with "goosenecks".

lderman Clark said that he had received comments about the City policy f patching sidewalks with asphalt. People are saying that if this is all he City can do, then do nothing. Perhaps this should be stopped.

ayor Keyes said that this matter could be discussed at budget time.

lderman Clark said that he would like to see intermunicipal co-operation etween adjoining municipalities. Efforts should be made to integrate, ransportation, fire protection, police protection, snow removal, etc. e read from the minutes of the Area Planning Board in which it was pointed it that the Township of Pittsburgh had notified that they were not iterested in attending a joint meeting to discuss an integrated transportation stem. He would be bringing forward a notice of motion in this regard.

yor Keyes saidthat he had specifically asked the members of Council to vite representatives from the Townships to the dinner and joint meeting Queen's University and the City of Kingston and this was agreed to.

derman Clark said a letter was received from The Honourable T. Wells, nister of Intergovernmental Affairs concerning seminar on Cost Saving Innovations Canadian Local Governments. He would like to see the City represented the seminar with regard to a cost saving system.

. Hamilton said that this had already been done.

derman Clark said that in the minutes of the Intercity Exchange Committee was stated that with regard to the celebrations for the persons from ucherville it was stated that the expenses at the Grand Theatre were gher than anticipated as it was necessary to pay for three stagehands.

lerman Tarnowecky said that the Board of Management for the Grand Theatre s an agreement with the Union and this agreement provides the number of agehands required.

UNFINISHED BUSINESS (Cont'd)

Alderman Clark said that he had been told that there is 100% funding available through Wintario for the provision of amenities for the handicapped. He said that it might be possible for the Grand Theatre to take advantage of this funding.

Alderman Tarnowecky said that the Board had looked into this very extensively before. There was a problem with associated costs for the washrooms as it was necessary to go through very thick walls. A letter was received from Wintario notifying of the amount of money available for the renovations and enclosing an interim payment. It was stated that no further monies would be approved for this project. (Communication No. 643)

Alderman McArthur said that you can not patch sidewalks with cement. If some aldermen did not want patching in their wards with asphalt, he would be glad to have the work done in his ward.

Alderman McArthur said that there are still problems with blasting and he had received complaints with regard to recent blasting on Division Street. There had been trouble there previously and now more damage was done due to blasting on the weekend. The City by-law was not sufficient enough to protect residents when companies, not employed by the City, were conducting blasting operations.

Alderman McArthur said that the had visited the Chip Wagon and had enjoyed the chips.

Alderman McArthur complimented Alderman Miller on the news article on the week-end with regard to women in Kingston. He agreed with Alderman Miller's comments with regard to commercial advertising on the television.

Alderman McArthur expressed thanks for the decision of the Public Utilities Commission with regard to the provision of a bus shelter at Wilson and Weller Avenues. He said that he had had a large petition which he was going to present to Council but this would not now be necessary.

Alderman Knapp said that he had an article entitled "What Bureaucrats Can't Know" which he would like distributed to the Department Heads.

Alderman Knapp said that he had an article entitled "Novel Composite Chasms of the Road" which he would like distributed to the members of Council and referred to the Commissioner of Works for comment.

lderman Clements returned at 9.25 p.m.

lderman Knapp said that he had attended the opening of the Ministry f Transportation and Communications Research Centre and believed it as a welcome addition to the City. The City is quite fortunate in aving an increasing number of research facilities in the area. He sked if it would be proper at this time for Council to make some fficial proclamation with respect to this area being research ientated as an incentive to industry to locate in this area whether t be research centres or supportive industries.

yor Keyes said that the Kingston Area Development Commission s contained this in the brief now being prepared. The draft brief s now been approved by the Commission and the next step is to range for the printing.

derman Webb said that one of the reasons for the use of asphalt is at when you have paid once for a local improvement concrete sidewalk en when it is due for replacement you get another concrete sidewalk. ever, if a local improvement sidewalk has never been paid for then get an asphalt sidewalk.

erman Webb asked if the Mayor had received a reply with regard to the ent article in the Toronto Star regarding Sir John A. Macdonald

or Keyes said that he had not as yet received a reply.

UNFINISHED BUSINESS (Cont'd)

lderman Webb said that a person with whom he had spoken had come up with a ery novel idea. It was stated that if the Local Progressive Conservative ssociation stopped issuing all invitations to any events in memory f Sir John A. Mac onald and quit regarding him as personal property nd invited participation from other political parties and groups aybe something could be done about the lack of recognition.

lderman Webb said that he was shocked to hear the news that the roposed Government Building is not going to be ten stories but five tories. The period of completion was extended to 1983. He had had an pportunity to speak with The Honourable K. Norton on the week-end and his had not been mentioned. It could be that The Honourable K. Norton as not aware of this matter. He believed that an explanation should be orthcoming.

ayor Keyes said that the announcement has been made. There is now a ig sign up on the corner indicating that this is the future site of the HIP building. The acquisition of the property was completed the 31st ay of October. The Honourable K. Norton was surprised, as he was, at the ange in the size of the building. At the moment it appears to have shrunk mewhat in size. Perhaps this had something to do with the Downtown development Program.

yor Keyes said that the service for Sir John A. Macdonald's birthday no longer in the hands of the local political parties but is oked after by Kingston Historical Society. He had attended the ceremonies r the last two years and the Mayor has always spoken on this occasion.

derman Lampropous said that he had received comments from several members the public with regard to the zoning by-law for the Campeau Shopping ntre. He said that he was disappointed and shocked when the Council ent 2½ hours discussing the proposed by-law which was drafted by experts. e Council has the Administration to guide them. This matter was on the anning Board Agenda and the members of the Planning Board had assured him at it was not discussed in the Planning Board. Council spent 2½ hours king amendments. Members of the Public had approached him and had expressed e view that it was ridiculous that Council spent so much time when Council had ministrators who should have all the answers. The Planning Director was t present and the C.A.O. could not give all the answers needed by Council.

lerman Webb withdrew at 9.55 p.m.

lerman Lampropoulos said that if the C.A.O. could not have all the answers would expect that he would have an administrator present who would.

lerman Timmins said that there seemed to be a misunderstanding. It bothered that an elected official would make such statements. The Planning Director away on holidays and Mr. Morris had attended in his place. He respected appreciated the comments of Mr. Morris who had done an excellent job behalf of the Department. He would like to point out that during Council cussion the concern had been about the square footage and it was forgotten t some uses were already permitted under the existing by-law. There was full discussion by Council on that particular aspect. When it came ward to the Planning Board it had already been accepted in general.

erman Gorham said that he did not believe that he was confused following Council decision. He had brought it to the attention of the City icitor and had asked some very pointed questions to make sure that he erstood. He had been disappointed at what had come out of Planning rd but they are very busy. The City Council and Planning Board have to k as a total group. If the Planning Board overlooks something he believed was his responsibility to bring it up. The Council is responsible to rect such situations if it can.

r Keyes said that he had been proud of the aldermen at the end of the t. Council kept at the situation and finished it off.

rman Hawkins said that about two weeks ago at an in camera meeting as proposed to employ a consultant concerning the design of the Industrial . He asked if this had been done.

UNFINISHED BUSINESS (Cont'd)

lderman Webb returned at 9.50 p.m.

ayor Keyes said that he understood that the representatives of the Company t was proposed to hire for the industrial park had been away in Europe. e understood that they had returned. He pointed out that there is still and available in the present industrial park.

lderman Hawkins suggested that the members of Council make a tour of the ity facilities in order to acquaint themselves with the situation before aking decisions with regard to the budget.

ayor Keyes said that possibly a bus could be hired for such a tour. e suggested it might be more appropriate after the program budgets have een prepared.

lderman Knapp pointed out that the recommendations of the Planning Board re forwarded to Council for the very reason that they are to be dealt with Council and could be changed.

lderman Hawkins withdrew at 9.55 p.m.

lderman Gerretsen said that with respect to the comments of Alderman mpropoulos about department heads having the answers, he would like point out that he believed that questions should be made to the partment heads prior to the meeting. The department heads can not ticipate the questions of fifteen people.

yor Keyes said that he believed that the department heads do extremely ll at answering the questions of the members of Council.

JOURNMENT

ved by Ald. Matthews,
conded by Ald. McArthur,

at Council do now adjourn.

CARRIED

uncil adjourned at 9:55 p.m.

(L.S.)

igned) M.C. *Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

QUEEN'S UNIVERSITY
DOCUMENTS LIBRARY

DEC - 3 1979

SPECIAL MEETING

INUTES OF A SPECIAL MEETING HELD BY CITY COUNCIL, CITY OF KINGSTON
LANNING BOARD, DOWNTOWN CORE COMMITTEE AND THE PUBLIC UTILITIES
OMMISSION TO HEAR THE PROPOSAL MADE BY CHARTWOOD DEVELOPMENTS LTD.
OR DOWNTOWN REDEVELOPMENT, ON NOVEMBER 6, 1979, AT 7.30 P.M., IN
MEMORIAL HALL, CITY HALL.

RESENT:

embers of Council: Mayor Keyes; Ald. Bishop; Ald. Clark; Ald.
lements; Ald. Gerretsen; Ald. Gorham; Ald. Hawkins; Ald. Knapp;
ld. Lampropoulos; Ald. Matthews; Ald. Miller; Ald. Tarnowecky;
ld. Timmins.

ppointed Members of Planning Board: Mrs. Jean Clarke; Mr. H.
arans; Mr. H. Meyer.

owntown Core Committee: Mr. S. Collins; Mr. I. Cunningham; Mrs.
. Cutway; Mr. P. Esco; Mr. K. Kramil

ublic Utilities Commission: Mr. G. Allmark; Mr. E. Blaney; Mr.
. Fray; Dr. R. Hay.

ity Administrative Staff: Mr. R.J. Hamilton, Chief Administrat-
ve Officer; Mr. G.G. Muirhead, Director of Planning & Urban
enewal; Mr. K. Linseman, Administrator - Traffic, Streets &
arking; Mr. D. Fluhrer, Commissioner of Parks & Recreation; Mr.
. Graham, Commissioner of Public Works; Mr. N. Jackson, City
olicitor; Mr. M.C. Healy, City Clerk.

pproximately 50 members of the public; 4 members of the press;
nd Lynn Haver, Clerk V, were also present.

THIS IS NOT A VERBATIM REPORT

Mayor Keyes opened the meeting by explaining the back-
round to the proposal for downtown redevelopment, which had come
bout largely due to the Downtown Revitalization Program instituted
/ the Provincial government. Under this program, loans could be
otained by the City at advantageous rates in order to encourage
owntown redevelopment. It had been felt that while Kingston's
owntown was doing well at present, there was a need to upgrade
acilities and look to the future. An eight-block area of the
owntown had been designated as a Redevelopment Area, and a proposal
ll had been made. There were two proposals now before the City
or redevelopment: one from Chartwood Developments Ltd., which would
e presented at this meeting; and one from Minto Construction Ltd.,
hich would be presented at a similar meeting on Thursday, November
, 1979.

Mayor Keyes noted that an announcement had been made
ecently with regard to the Province's proposed OHIP building, to
e situated at Place d'Armes; the Paron waterfront proposal was
ll under construction; and construction was due to begin very
hortly on the first phase of the Marina City development, also
 the waterfront.

Mayor Keyes introduced Mr. C. Magwood, President of
artwood Developments, and Mr. Pellow, architect for the project.

Mr. Magwood opened his presentation by saying that this
uld be a simple, straightforward account of how Chartwood had
come involved in Kingston, and what they proposed to do for the
wntown. He emphasized that if this project were to go ahead, it
uld be as a joint venture between the developer, the City and the
ovince. Although Chartwood had been very busy over the course of
e past year, the challenge that would go forward from now would be
e City's. Whether or not coloured pictures and fancy words could
come a reality was something that only the City could determine.

Mr. Magwood said that although he had been involved in this project for a year now, he had only just seen the proposals made by Minto Construction for the same area. He wished to compliment that company for their competence and on their impressive and comprehensive brochure. However, this was not a fashion show and he hoped that he could impress upon everyone present Chartwood' ability to produce something real and valuable for the downtown.

The choice which faced the City of Kingston now was not simply a choice between two developers; it was a choice also betwee two very different concepts. The Minto proposal could be described as "the big idea", as a comprehensive package, while the Chartwood proposal could be accurately described as a limited retail scheme, integrated to fit within the fabric of Kingston. He would not compare the two proposals, but it was his belief that this was an accurate description of them. One proposal was complete, involved 6 city blocks, the closure of several streets, and was generally very large-scale. The other concept is much less than that, and involved the closure of only part of one street; minimum dislocatio of services, one new department store, integration with an existing department store, a total of 280,000 sq. ft. and about 900 parking spaces.

This proposal had been prepared after a great deal of study, and the conclusion had been that this type of proposal was correct and proper and what was needed in Kingston. Chartwood felt that its proposal would cause the minimum disruption and dislocatio for existing businesses and merchants in Kingston. Chartwood had a good deal of experience in this kind of development, and the challenge to the developer at the beginning was to be honest: in terms of what can be achieved, in terms of how leasable the project would be, and whether or not it could be financed. The proposal was not quite so fancy, but Chartwood had attempted, in discussions with the City's administrative staff, with people who lived in Kingston, with retailers who might participate in this development, and with the financial community, to size and locate this project in such a way as to minimize the upset and dislocation of traffic systems, to the retailers, and bearing in mind the way Kingston was in reali This was the sum and substance of what they now proposed. In this presentation, Mr. Magwood would talk briefly about Chartwood as a company, about the team which would be involved in the project, abo the proposal itself, and about the financial aspects of the proposa particularly for the City.

BACKGROUND - CHARTWOOD DEVELOPMENTS

Chartwood was a two-year old company, made up of the principals of Cambridge Developments, which had been in business since 1962. It specialized in retail suburban developments to a large extent, and over the last 12 years, had developed about 30 retail projects involving about 6 million feet of retail space, owned and leased by the company. At the present time, Chartwood was involved in a number of projects, and Mr. Magwood described som of them, since he felt it was important for Chartwood's capabilitie and credentials to be understood.

Cornwall Square, situated in Cornwall, Ontario, had been open for about three weeks and was a downtown project under the Downtown Revitalization Program, anchored by Simpsons-Sears and Steinberg's. It contained approximately 280,000 sq. ft. of retail space, with about 1,000 parking spaces. The project was very similar to that now proposed for Kingston, although the primary trade area in Kingston was somewhat larger than that of Cornwall, with a similar sized secondary trade area. This project was the first designed and constructed under the Downtown Revitalization Program. Co-operation between the developer, the City of Cornwall and the Province had been effective from early stages to the completion of the project. Chartwood had been a suburban developer, but "had seen the light", and had gone into the downtown with the help of the Province and of the City, which had given a great deal of support.

The lesson learned in Cornwall was the importance of co-operation in this type of project, which was extremely complicated from the land assembly through negotiations, documentation, department stores, retailers, etc., etc. He understood that some representatives of the City had recently visited Cornwall, and he hoped they had been impressed with the development. In business terms, this project was now doing very well indeed in the run-up to the Christmas season. He hoped that the company could do just as good a job in Kingston.

Chartwood was also involved in two other projects under the Downtown Revitalization Program, in Guelph and in Chatham. In the latter case, the project was developed with Simpsons-Sears and was to commence construction in the Spring of 1980. It was similar in size to the Kingston proposal, with a department store of approximately 100,000 sq. ft., and about 150,000 sq. ft. of satellite retail. Land assembly had been undertaken on two city blocks, the funding was now approved and the project was now in final development stages. In Guelph, the Eaton Centre (Guelph) had been approved by the City, and an application for $5 million in funds from the Program was now before the Province, and it was anticipated that approval would be given by the end of this month. It was hoped that this project could also get under way next year.

In addition to the foregoing developments, Chartwood was also involved in Western Canada, in a project in Regina to be called the Eaton Centre (Regina). This was a "big idea" type of project, which involved over $100 million of construction. The rovince of Saskatchewan had been involved in this development, and had approached Chartwood with a view to a joint venture about a year ago. This project would contain a department store of pproximately 280,000 sq. ft., 3 office towers, 200,000 sq. ft. f satellite retail space and other components. This was a very xciting development, and Mr. Magwood indicated that it was a lot f fun to be working on such a large-scale project. The company as also involved in Edmonton, along with Eaton's, The Bay and impsons-Sears, in a project of over 1 million sq. ft., which ould be one of the largest centres of its kind in Canada, and ad also begun work in Winnipeg with The Bay and Simpsons-Sears.

Mr. Magwood said that he had gone into some detail bout the company's other projects in order to show the experience hartwood had had in this area, which was one of specialization, n which not too many people were involved. The proposal call nnounced by the City of Kingston had come at a propitious time, ince Chartwood had been studying the City for some time. In view f recent announcements of proposals for Kingston Township, he did ot feel he had to repeat that if something was to get under way or the downtown, a decision had to be made quickly, or it might e too late.

Mr. Magwood introduced Mr. Pellow, the architect for ne project, who was a specialist in retail development and was nvolved in the current projects in Chatham and Regina. In working n this project, there were three principles that Chartwood had ttempted to follow:

1) in putting this together, an attempt had been made to minimize dislocation to the existing street system, to maintain it as it presently was, and to work within it.

2) to locate the development and size it in such a way that it would fit easily within the market without hurting or adversely affecting merchants and people in the present downtown core;

3) to preserve the integrity of historic buildings found in Kingston.

Mr. Magwood said that while the residents of Kingston ght not be too aware of it, to an outsider Kingston was unique its historic integrity.

THE CHARTWOOD PROPOSAL

Mr. Pellow said that the drawings which he had brought with him were conceptual in nature, and not large. However, he proposed to take the audience through a "walking tour" of the site with the help of the drawings provided. He began by describing the designated redevelopment area, and pointing out other major projects now underway or proposed, such as Marina City, Paron, OHIP, Minto residential development, etc. The proposal now made by Chartwood was one which they felt could fit in well in terms of scale with th existing downtown, one which would cause the least disruption to th existing area and would, hopefully, provide a catalyst for future development in the downtown area. The framework centred around a retail component which would form the core of the development. Oth components such as those mentioned in the proposal call could come later as circumstances allowed, but the retail component would be the initial portion. Chartwood had made suggestions for the inclusion of a hotel, further office space, etc., but this did not form part of the core development.

Walking through the area from south to north, the area around City Hall could be integrated into the project, with the farmers' market, and pedestrian links along King Street, which was already well developed with shops and boutiques. Chartwood would suggest that this street be narrowed somewhat, and landscaped, to provide an attractive pedestrian area leading to the development. Crossing Princess Street into the heart of the development, the internal street system would align with the Eaton's store, which would be a two-storey department store of about 136,000 sq. ft., with connecting satellite retail stores linking this to the S & R Department Store to the east, the additional retail component being about 130,000 sq. ft.

Continuing the walk to the north, an office building of about 8 storeys would be encountered, perhaps containing the OHIP facility. Further still to the north would be the convenience centre, possibly integrated with the existing food store, and beyon this, a residential development. The concept of the centre was suc that it was tied in at both levels of the street system and to the parking. To the north of the Eaton's store would be a parking structure connected by the bridge to the Eaton's store, and containing about 800 parking spaces, with additional parking in the rear.

Mr. Pellow said that this proposal was the end result of a year of study, during which many different alternatives had been considered: whether there should be one, two or three department stores; whether a food store should be included; integration of office space, etc. After assessing the market, it was clear that the logical way to proceed was with the proposal now before the City and over a two-block area. It was Chartwood's conclusion that there were important streets in the downtown which could not easily be disrupted or altered, particularly Queen Street. One of Chartwood's earlier configurations had oriented the centre along a north-south axis, but they felt this would not be in the best interests of Princess Street. They also felt that the eastern anchor of the S & R store strengthened the Princess Street retail strip.

By bringing the OHIP office component closer to the retail area, pedestrian traffic was increased and would make it a much more viable entity. The interior design of the centre would be centred around open space, with the emphasis on natural light with a great deal of sky lighting. Chartwood felt that the improvements suggested to King Street would emphasize the significance of the architecture and historic buildings in the area.

In assessing the proposal, Chartwood had recognized the importance of historic buildings. The major historic site in the area was the S & R building. Also, the Public Utilities building which had historic merit, should be preserved.

In summing up, Mr. Pellow said that the significance of the Chartwood proposal was that the core would be a modest retail entity which would be viable in the dimensions proposed; a frameork for other development which could take place at a future date, hile allowing work to proceed and to be financed now. This proposal ould strengthen the retail centre of the City and would be a signif- cant asset to downtown Kingston.

Mr. Magwood said it was important to distinguish what ould be built in the first phase, and what could take place in the uture. The whole concept of the revitalization program was that ne anchor brought to the City would revitalize it and spin-off in cher new growth. The seed was the retail core and parking which ipported it. That was the extent of the commitment of the developer. ne rest, as mentioned in the proposal call, would come later. For kample, the hotel: Chartwood had suggested where a hotel might be tuated, and had recommended a site. However, the answer to the iestion of whether or not a hotel had been negotiated, was no. The coposal was still in early stages, and Chartwood was not yet in a osition to make this commitment. However, there had been many nanges in the city since the report in 1976 had recommended further otel space. The Holiday Inn had expanded, the Howard Johnson's otel had been built, and new marketing studies would have to be one to determine whether or not the downtown area could now support nother hotel. The second factor was whether or not a hotel chain ould be prepared to locate here, and the third and most important oint was who would pay for it. Nowadays, hotel chains would move only if someone else paid for the construction.

One of the reasons why this project was feasible now was cause so much of the financing could come from government agencies, any other circumstances, it was clearly too expensive now to tain the financing. Mr. Magwood wanted to emphasize the initial mponents of the development, so that there would be no confusion out this. The central element, the retail core, and the parking uld have to come first. With respect to the OHIP development, ey had moved this closer to the retail area because they felt this s a better place. From a planning point of view, this would seem make more sense, in that it would integrate an institutional use th a retail use, which would be better for everyone concerned.

With regard to the "convenience centre", this obviously ferred in large part to the existing Dominion store. Dominion s aware of what Chartwood was doing, in fact Chartwood had built ny food stores in the past and there was interest there. The ason it wasn't included in the project itself, was simply because ere was no room. It could only be done if the project were much rger, and more streets were closed. In Chartwood's experience, e addition of a food store didn't do a great deal for a large tail project, and the existing food store was in reality very ose to the proposed development in any case. The convenience ntre could be developed later, with some form of connection to e Eaton's Centre. In many cases, these were two different types shopping trips anyway. The parking could serve both areas, but e concept was really split into two different uses. Chartwood lt this was a unique idea which could work in Kingston. The test trends were away from large community developments into parate, very large, free-standing supermarkets.

Moving northwards, the conceptual plans showed how this ght be developed in the future, as the market permitted. Whether not a residential development might work at this location, or ether there was a need for another marina here, was something the ty knew better than a developer, although it was Chartwood's view at this would work here.

Mr. Magwood turned to the matter of commitment which he alized was of great interest. The biggest job the developer had d over the course of the last year was to come up with a concept ich was acceptable to a major department store, because this was e key to the whole thing. It was all very nice to draw pretty ctures and talk about things would could be done, but the key had be the commitment from a major department store. Chartwood had this commitment from the T. Eaton Company. The Vice-President of Eaton's had been scheduled to attend this meeting, but at the last minute had been unable to do so. However, a letter had been receiv by Chartwood, from Eaton's, which read as follows:

> *"I am writing to confirm our support and participation in your proposal for the downtown development in Kingston, as outlined in our earlier letter* (i.e. as in Chartwood proposal). *Since that time we have had an opportunity to evaluate both proposals for the City and wish to confirm that yours is the only one in which we have any interest"*

Mr. Magwood said he was also delighted to report that th Chartwood proposal was endorsed by S & R Discount Department Store, and said that they had had a brief but pleasant association with th local business. When they first came to Kingston, they had been incredulous at what was going on in this store, which was really a form of department store, and also an historic building. A letter from S & R read as follows:

> *"This is to confirm the understanding we have reached with respect to the participation of the S & R store in your downtown development. It is our understanding that Chartwood and Eaton's will be making a joint venture and proposal to the City of Kingston. We have reviewed the proposal with you, which includes a two-level Eatons store, and two levels of satellite retail space connecting to our existing department store. This will confirm our acceptance of your plans and will further confirm our wholehearted support of your proposal"*

THE DEVELOPMENT TEAM

Mr. Magwood continued his presentation by saying that he realized that the City was accustomed to seeing developers arrive with an army of marketing experts, traffic experts, etc., etc. He had not brought his experts to this meeting, but wished to outline the development team who would be co-operating on development of Kingston's downtown.

Marketing: Kingston was distinguished by having had more market studies done on it than anywhere else in North America. Chartwood had retained the firm of W.W. Irvine, consultants, to advise them on marketing aspects. This firm had acted for Caven Developments in the famous shopping centre issue some while ago, and thus had a great deal of experience in the Kingston area. Chartwood had asked this firm to summarize their views as to the capability of Kingston to handle this type of development, and to help them in sizing it for the market. In Irvine's words, "this project is the only one that will ensure the interests of all parties can reasonably be satisfied without a single portion of the retail infrastructure suffering from economic indigestion". This was one of the bases for the Chartwood proposal made tonight. Chartwood had reviewed Irvine's conclusions based on earlier studies, Eaton's had done its own market analysis and the conclusion was the same as that found earlier: Kingston needs a major department store, Kingston can support a major department store, and the only questio is where. In the opinion of Chartwood, Kingston could handle one department store, in the core of the City, with limited retail attached to it, about 60 stores of approximately 280,000 sq. ft., that this could be absorbed comfortably, without substantial negative impact on other retailers in the community. Whether or not another department store could be handled here depended on other factors.

Chartwood queried whether Kingston Township had grown enough to afford another department store, even though this was the only area of real growth in and around the City. Retail gravity studies showed Chartwood that the negative impact on existing retai would be so little as to be almost nil, and the positive impact

ould be that the City would capture back into the community a lot
f money now being spent in suburban developments. This proposal
ould reinforce and buttress what was already in existence.

raffic: Mr. Magwood said that Chartwood had retained Mr. Grant
acchus to advise on traffic matters and had also reviewed the
indings of Marshall Macklin, who had been retained to provide a
lan of study for the City for future traffic requirements. The
onclusions were that this project could be handled by the street
ystem which existed in Kingston today. There would be a few
anges necessary in the area surrounding the project. For inst-
ce, Chartwood proposed that a portion of King Street from
incess to Queen Street be closed, but that was all. There was
perceived problem, from people who don't live here, with respect
the ability to get to the downtown and this has been seen by
e department stores as a disadvantage. Eaton's was now satisfied
at the existing street system, with some limited improvements,
ould handle a development of the size and scope now proposed. A
arger development probably could not be handled by the existing
reet system and would require major road improvements and alter-
ions. This, of course, was a matter of opinion.

tail Merchandising Market: Chartwood did not employ consultants
this side, since it took care of this aspect itself. It had
s own in-house leasing department, and since this year it would
negotiating approximately 800 leases, it had a good idea of
at was important. Chartwood's approach had been to pre-lease a
oject such as this one, so that they knew in advance whether or
t it was viable. Discussions had already taken place with a
w major retailers they did business with, in confidence, and
ese discussions had contributed to the final proposal now pres-
ted. As an example, in the case of Cornwall Square, 50% of the
ace had been leased before the shovel had gone into the ground;
Regina, 75% had been leased before construction began; and in
e case of Winnipeg 93% had been leased prior to the start of
nstruction. Chartwood felt it was important to work very closely
th national chains and with merchants already here, in order to
me up with a proposal.

sign & Planning: As already mentioned, the firm of Pellow,
chitects, had been retained. They were experts in the field of
tail development and one of the partners in Chartwood was in fact
architect himself, and followed the plans very closely.

A general and final point about the development team
s that in order for something to happen, for it to work, someone
d to be in charge of it, one person, who had to know all the
rious aspects and pull it together and make it happen. Mr.
gwood said he would be that person, and would be in Kingston all
e time, and the rest of the team would report to him, and work
th him. Someone had to have the ultimate responsibility, this
s the only way for something this complicated to work. He felt
is was an important element which Chartwood could bring to the
oject.

NANCIAL ASPECTS

Mr. Magwood said that Chartwood had, in its brochure,
dressed itself to the financial aspects of the development, and
d concluded that it could be done. It could not, however, be
ne without help. The total projected cost of the development
s $25 million, of which they needed $11 million from government
urces. This meant that the City and the Province had to assist
e developer under the Downtown Revitalization Program, and that
e normal structure would prevail, i.e. the City would own the
oject and would borrow from the Province sufficient funds under
e Downtown Revitalization Program. The usual arrangement was
r two-thirds of the money to come from the Province, and one-
ird from the City. Assuming this was acceptable, this would
an that the Province would provide two-thirds of $11 million on
long-term loan basis of 60 years, to the City. In return for
is, the Province would get a portion of the ground rental paid

to the City, and a portion of the incremental taxes paid to the City over and above those already paid. The City would provide one-thirc of $11 million, the balance of $14 million being raised by the developer on the open market, on the basis of a mortgage of his leas hold interest, from the City for sixty years, with ground rental bas paid at 110% over 40 years. The City would grant a lease to the developer, with the developer paying ground rent back to the City. In turn, the City would return 2/3 of this to the Province, with the balance retained by the City. With respect to the incremental taxes the City would return 2/3 of this to the Province, and retain the balance. Presuming that the City debentured the funds over 20 years was probable that this sum would be paid back before maturity of the debenture. This could be assured through agreements between the dev oper and the City. The City would enjoy the project being there, wo benefit from any spin-offs and would get a return from the project sufficient to pay back the borrowing prior to maturity of the debent

Chartwood had had appraisals done on the required land in order to come up with the projected costs, and the cost of construct had been worked out in co-operation with a general contractor who ha worked with the company before. It had, therefore, a good general i of costs involved. The variable, of course, was the interest rate, which now seemed to rise faster than brochures could be printed. Fo long-term financing, which was very expensive, the rate would likely around 12%, with bridge financing at around 14%. What was required the developer was based on its agreement with Eaton's. All factors been taken into consideration in reaching the final figures, includi construction costs, financing costs, agreements with retailers, etc. etc. All these figures would be open for scrutiny once the City had made its choice and come to an agreement with the developer.

The meeting was opened for questions from the floor, and response to an initial question from the Mayor, Mr. Magwood said tha the $25 million project consisted of the retail core and the parking structure, taking into consideration the anticipated cost of land acquisition of the site. Two city blocks would be necessary for the retail structure - Eaton's and associated retail stores - connecting to the S & R store in the east, and half a block would be necessary for the parking structure. Off-site costs for some road improvement business termination, moving, relocation, servicing, etc., were all included in the total figure, insofar as they related to the central core development.

In response to a question from Ald. Tarnowecky, as to whether the matters of pre-leasing of space and improvements to the existing streets were pre-conditions for development, Mr. Magwood said that this was not seen as a problem. Based on what was already known, there was no problem once Eaton's was in place, and it went ahead. With regard to access, this was not seen as a problem, since there was so little that had to be done, and not much had to be char He pointed out that the Downtown Revitalization Program was designec allow for many things to happen, such as beautification of the downt a pedestrian mall or semi mall (such as Pitt Street in Cornwall). Chartwood had suggested, for instance, that work could be done to li City Hall to the entrance of the project to make that area more attractive. Some of this kind of improvement need not cost a great dea In many cases, one exciting development proved to be the catalyst fo a lot of other things to take place, and Chartwood would be very hap to be part of such an overall scheme.

Ald. Clark said that it had been evident in the Cornwall Square project that only one local merchant was able to obtain space in the project. He wondered if it were realistic to expect local merchants to have access to this project.

Mr. Magwood said that Chartwood had been working on this proposal for about a year and had studied various different alternatives. It had taken them this long to get Eaton's. The question of access to local retailers was a tough one. In the case of Cornwall, they had hoped to have a much larger percentage of local business in the project, than they eventually ended up with. This was because only one local businessman had been prepared to do what was necessary, and there did not seem to be many businessmen who were interested in moving or in opening a second outlet.

In response to a question from the Mayor, Mr. Magwood aid that in large measure, the failure to relocate in the new oject could be seen as a reluctance or inability to pay higher ntals, but also the ability to fit out the store properly was nportant. This was expensive, it was true, and most could not ford it, but more than that in Cornwall, most of the businesses st didn't want to do this.

Ald. Gorham noted that the parking structure only held out 800 cars for 240,000 sq. ft., compared to a proposal recently proved (i.e. Campeau) where 900 spaces were proposed for 180,000 . ft. Presumably this would only service the Eaton's store, and wondered where the developer proposed to provide parking for the retail stores.

Mr. Magwood said that the normal parking ratio for a pical suburban shopping centre was approximately 5:1, i.e. five aces for every 1,000 sq. ft. The reason for this was that all oppers come in their own cars, and usually on their own. In a wntown development, the ratios were quite different. There was, course, a difference of opinion as to what was an adequate tio, but he pointed out that in the Peterborough Square develop-nt, and the Market Square in Kitchener, the ratio varied from tween 1.8 and 4.0, depending on the quality of the public transit stem and the proximity of residential areas to the downtown, the st of the land and other factors. In the Kingston proposal, he lt that 3:1 would be an appropriate ratio and in fact, the prop-ed parking structure provided for slightly more than that. ey had also taken into account the availability of municipal rking in the immediate vicinity, and the existence of a good blic transit system.

Ald. Miller said that one of her concerns might be rmed "aesthetic quality" of development. Chartwood had pointed t its intention to preserve the historic integrity of the down-wn, but she had not seem too much of this in what had been said far. Obviously, part of this commitment was the idea to retain e S & R store and the PUC building. She asked what Chartwood uld show her that would convince her of their intent to try and late this project to the historic aspects of the downtown and to tain some of the historic features of it.

Mr. Magwood said he wished he could provide further tails, but could not at this early stage. As far as he was are, S & R was the only historic building in the area. However, the selection of materials, facade, Princess Street frontage, c., Chartwood would attempt to emphasize a number of things. r instance, the design would attempt to stress a continuation, the Princess Street side, of the small store aspect of the reet. An attempt had been made to minimize the number of buildings ich would have to be demolished. The City was better able to dge the historic merits of buildings within this area.

In response to a question from Ald. Hawkins, Mr. Magwood d that there was absolutely no chance that Eaton's would proceed th a project such as this on its own, without the assistance from levels of government. In fact, Eaton's had been pulling out of wntowns all over the province for years. In the last 18 months, ople like Simpsons-Sears and Eaton's were now back in towns in ario, and the only thing that had brought them there was the wntown Revitalization Program. Without help from the City and Province, there was no way that Eaton's would participate, and could Chartwood.

In response to a further question from Ald. Hawkins with gard to time scales, Mr. Magwood said this was a difficult matter forecast. However, assuming that Council approved this proposal, procedure would be along the following lines: Once approval was ven, the next step would be to produce a redevelopment plan and an propriate by-law. Then negotiations and agreement would take place tween the City, the Province and Chartwood, followed by approval in nciple of the financing. The part which took the most time was that dealing with the Province, and he hoped that the City's approv could be given much more quickly than that. The pressure now was t put together a viable project for presentation to the Province. As everyone was aware, the Province had already indicated there were n funds left in the program. Then land acquisition would take some t Assuming that none of these aspects caused great problems, which he not think was likely, he felt that construction could commence in t summer of 1980, and with a construction period of about 15 months, project could open in October of 1981.

In response to a further question from Ald. Hawkins, Mr. Magwood said it was highly likely that all the sub-trade contractin for construction would be done with local labour. With regard to t number of employees in the completed project, Mr. Magwood anticipat about 400 full time and 200 part-time jobs would be located in the centre, and that about 80% of the permanent jobs, and virtually 100 of the part-time positions would be new jobs.

In response to a question from Ald. Lampropoulos, with regard to financing, Mr. Magwood said that he could not say a great deal about this at the present time, but that once an agreement in principle was reached, the City would be able to study Chartwood's figures, to assure themselves that the debentures could be repaid before maturity.

In response to a question from Mrs. L. Inglis, Mr. Magwo said that there would be four levels of parking, at grade and at gr plus three.

In response to a further question from Mrs. Inglis, Mr. Magwood said that his company had not yet been in contact with any local stores with regard to relocation in the project, since they could say nothing definite at this time. There was room for local merchants in the project, but the intention was not to empty Prince Street of half its stores to relocate them in the mall itself. Rat it was hoped that new stores would come in, and other existing merc ants might consider opening a second outlet in the project.

In response to a question from Dr. Hay, Mr. Magwood saic it was not Chartwood intention to propose removal of the PUC substation. With regard to the transit buildings, the City had alreac indicated that it might be possible for these to be moved elsewhere but at the moment, this area was not included in the initial development plan.

In response to a question from Mr. Sorensen, Mr. Magwoo said that the agreement with Eaton's was not contingent upon the OHIP building being incorporated in the project. As he had said earlier, it was Chartwood's view that from a planning aspect, it would make much better sense for the OHIP building to be moved in towards the redevelopment project. However, this portion was not included in the initial phase either. Once the firm commitment wa made, Chartwood would attempt to convince the Ontario government i would make good sense to move the OHIP building closer to the proj He pointed out that at the time OHIP purchased this land for their purposes, they had no idea of future development in the downtown.

Mrs. Cutway said she realized the developer could not b very specific at this time, but she hoped that Chartwood would pay some attention to the Princess Street facade of the project. She had been disappointed to see that in the Cornwall development, a long expanse of blank wall was turned to the City, as if the proje was turning its back on the rest of the area.

Mr. Magwood said that this was a good point, and in fac on the drawings he had indicated that it was hoped the Princess St facade would include a frontage which would blend in with the othe small stores and shops already there. It was also proposed to mak the corner of Eaton's facing onto Princess Street a place of inter and an exciting entrance to the project. There was a lot more to work with in this part of Kingston than there had been in Cornwall

In response to a question from Mr. Blaney as to whether
ny thought had been given to using a central energy source for the
:oject, or a particular type of fuel, Mr. Pellow said that it was
oo early to answer this question, although Chartwood's approach was
) lean heavily towards energy conservation, in the basic design of
echanical systems, cooling, heating, lighting, etc. For example,
ighting systems were being cut from 12 watts to 6 watts in order to
onserve energy. As had already been mentioned, it was hoped to use
s much natural lighting as possible.

In response to a question from Mrs. R. Bryson, Mr. Magwood
aid that the Eaton's store would definitely be a full line department
:ore of approximately 136,000 sq. ft. on two floors. This could be
ompared to the Eaton's store in the Bayshore development, which was
oout 180,000 sq. ft. on three floors.

Mrs. Bryson said she was anxious to know whether or not
nis would be a quality Eaton's store, or a discount version. It was
er view that the Sears store in the Kingston shopping centre was of
ne discount type, rather than the full line quality merchandise store
ou would find in Toronto or Ottawa.

Mr. Magwood said that this was definitely proposed to be a
uality store, on a smaller scale than the large Eaton's stores in
oronto.

In response to a question from Ald. Miller with regard to
islocation of businesses on the site proposed for redevelopment, Mr.
agwood said it was too premature to go into much detail on this as
et. However, the City did have the power of expropriation under the
rogram. As a matter of interest, Chartwood had not yet had to use
nis in any of its projects, since it was hoped to negotiate a fair
arket value for any property which would have to be demolished. To
ne extent that some of these people were merchants, it was obviously
n Chartwood's interests to attempt to work with them with respect to
elocation in the new project. In Regina for instance, the company
as working mainly with merchants who had been located in the area
efore redevelopment was proposed. Naturally, this would depend on
ne local business people, but if they were interested in locating
n the new centre, obviously Chartwood would discuss this with them.

Mr. I. Cunningham said that in Kingston, most of the
usiness people in the area were tenants, rather than owners, and
ney would stand to lose considerably by demolition of the property.

Mr. Magwood said that under the Expropriation Act, the
erson hurt by any expropriation was entitled to damages.

In response to a question from Mr. Cunningham with resp-
:t to the "fragmentation" of the market between the proposed retail
ore and the separate convenience centre, Mr. Magwood said that the
etail market in Kingston was already fragmented, in that a lot of
usiness was located out in the Township. There was also the frag-
entation of business between the downtown and the Kingston Shopping
entre. He agreed with Mr. Cunningham that it might be more attrac-
ive to have all these things together under one roof, but there was
bit of a trade-off involved here: would the merchants rather have
ne new project on Princess Street as proposed or some distance
ay? He was not particularly troubled by the proposed "split" and
oted that to some extent, this was already happening anyway.

In response to a question from Mr. Marcus, Mr. Magwood
id that a rental figure for space in the Centre had not yet been
etermined, but it would likely be higher than in Cornwall.

In response to a question from Mrs. Inglis, Mr. Magwood
id he definitely felt the present market in Kingston could support
e Eaton's Centre (Kingston) and additional housing would not be a
ctor in that.

In response to a further question from Mrs. Inglis with regard to the scale of the parking structure, Mr. Magwood said that the top level of the four-level parking structure would be below the top level of the retail component.

Mr. Thrift commented that it had just been announced that the new OHIP building would be much lower and more massive than originally anticipated, in other words, a lower but larger building.

Mayor Keyes thanked members of Council, members of the Planning Board, members of the Downtown Core Committee, and the P.U.C. for attending the meeting and contributing to it. He extended special thanks to the hard work of the Downtown Core Committee over the past year or so and hoped that the proposal could become a reality as quickly as possible. He also thanked Mr. Magwood and Mr. Pellow for their presentation, and said he felt the reason there weren't too many questions was probably because Chartwood Developments had covered almost every aspect in its presentation.

Mr. Magwood thanked the Mayor and Council, as well as other public bodies, for allowing him to make this presentation. He was trying to conceal his excitement about this proposal, without much success, and would be delighted to proceed with this proposal. He looked forward to an appropriate decision being made.

ADJOURNMENT

The meeting adjourned at 9.40 p.m.

QUEEN'S UNIVERSITY
DOCUMENTS LIBRARY
DEC - 3 1979

SPECIAL MEETING

MINUTES OF A SPECIAL MEETING HELD BY CITY COUNCIL, CITY OF KINGSTON PLANNING BOARD, DOWNTOWN CORE COMMITTEE AND THE PUBLIC UTILITIES COMMISSION TO HEAR THE PROPOSAL MADE BY MINTO CONSTRUCTION LIMITED FOR DOWNTOWN REDEVELOPMENT, ON NOVEMBER 8, 1979, AT 7.30 P.M. IN MEMORIAL HALL, CITY HALL.

PRESENT:

Members of Council: Mayor Keyes; Ald. Bishop; Ald. Clark; Ald. Clements; Ald. Gorham; Ald Hawkins; Ald. Knapp; Ald. Lampropoulos; Ald. Matthews; Ald. Miller; Ald. Tarnowecky; Ald. Timmins; Ald. Webb.

Appointed Members of Planning Board: Mrs. Jean Clarke; Mr. H. Marans; Mr. H. Meyer.

Downtown Core Committee: Mr. S. Collins; Mrs. H. Cooper; Mr. I. Cunningham; Mrs. N. Cutway; Mr. K. Kramil.

Public Utilities Commission: Mr. G. Allmark; Mr. E. Blaney; Mr. R. Fray; Dr. R. Hay.

City Administrative Staff: Mr. R.J. Hamilton, Chief Administrative Officer; Mr. G.G. Muirhead, Director of Planning & Urban Renewal; Mr. K. Linseman, Administrator - Traffic, Streets & Parking; Mr. D. Fluhrer, Commissioner of Parks & Recreation; Mr. D. Graham, Commissioner of Public Works; Mr. N. Jackson, City Solicitor; Fire Chief K. Cowdy; Mr. M.C. Healy, City Clerk; Mr. R. Morris, Deputy Planning Officer.

Approximately 45 members of the public; 4 members of the press; and Lynn Haver, Clerk V, were also present.

THIS IS NOT A VERBATIM REPORT

Mayor Keyes opened the meeting by explaining that this was the second of the two proposals before the City for downtown redevelopment, and was made by Minto Construction Limited, of Ottawa. This company had maintained an interest in redevelopment in Kingston for over a year now, and had made an earlier presentation to the City last year. This meeting would basically consist of a forum at which questions from elected and appointed officials could be directed to the developer, and as in the case of the Chartwood proposal, it was hoped that a full-scale public meeting could be arranged at a later date.

Mr. John Russell of Minto Construction began his presentation by introducing his team: Mr. G. Schwartz, the retail consultant; Mr. Collin Stevens, of Design International; and Mr. Peter Martin of M.M. Dillon Associates.

Mr. Russell said that he expected most people in Kingston, because of the City's proximity to Ottawa, were aware of Minto Construction, which was a privately owned company, owned and operated by Mr. Irving Greenberg and his brother, Mr. Gilbert Greenberg. For the past 24 years, Minto had built in excess of 20,000 residential units in Ottawa. It was a fully integrated development company, dealing with all facets from buying of land, servicing, designing and building, marketing selling and renting the finished product. In earlier years, the company had centred its activities on residential construction in the Ottawa area, but over the past few years, it had begun to diversify and had become involved in commercial developments in Ottawa and was currently involved in a very large project in Florida. Minto had also diversified into other fields of operation.

Since the 1950s, the company's philosophy had always been to build major projects and it had always believed in them being well planned and well designed. In fact, over the years, Minto had won many awards for its excellence of design. A necessary activity in these years had been a close involvement with municipalities, often small municipalities faced with a large amount of urban growth. In the course of this experience, the company had developed a very simple philosophy: what was good for the municipality was good for Minto.

SPECIAL MEETING

UTES OF A SPECIAL MEETING HELD BY CITY COUNCIL, CITY OF KINGSTON
NING BOARD, DOWNTOWN CORE COMMITTEE AND THE PUBLIC UTILITIES
COMMISSION TO HEAR THE PROPOSAL MADE BY MINTO CONSTRUCTION LIMITED
R DOWNTOWN REDEVELOPMENT, ON NOVEMBER 8, 1979, AT 7:30 P.M. IN
MORIAL HALL, CITY HALL.

ESENT:

mbers of Council: Mayor Sayer; Ald. Bishop; Ald. Clark; Ald. [illegible]; Ald. [illegible]; Ald. [illegible]; Ald. [illegible]; [illegible]

[illegible] Planning Board: [illegible]

[illegible] Core Committee: [illegible]

blic Utilities Commission: Mr. G. Allison; Mr. [illegible]; [illegible] Dr. R. Roy.

[illegible] Administrative Staff: [illegible] Commissioner of Public Works; Mr. R. Jackson, City Solicitor; Mr. [illegible] C. Cowdy; Mr. K.C. Healy, City Clerk; Mr. R. Norris, Deputy [illegible] Officer.

proximately 45 members of the public [illegible] the press; [illegible] Lynn Haver, Class V, were also present.

THIS IS NOT A VERBATIM REPORT

Mayor Sayer opened the meeting by explaining that this was e second of the two proposals before the City for downtown redev- opment, and was made by Minto Construction Limited, of Ottawa. e company had maintained an interest in redevelopment in Kingston r over a year now, and had made an earlier presentation to the ty last year. This meeting would basically consist of a format of ief questions from elected and appointed officials which to be di- cted to the developer, and as in the case of the [illegible] proposal, was hoped that a full-scale public meeting would be arranged at later date.

Mr. John Russell of Minto Construction began his presenta- tion by introducing his team: Mr. C. Schwartz, the retail consult- ant; Mr. Collin Stevens, of Design International; and Mr. Peter ir of M.M. Dillon Associates.

Mr. Russell said that he expected most people in Kingston, cause of the City's proximity to Ottawa, were aware of Minto nstruction, which was a privately owned company, owned and operat- ed by Mr. Irving Greenberg and his brother, Mr. Gilbert Greenberg. r the past 25 years, Minto had built in excess of 20,000 residential its in Ottawa. It was a fully integrated development company, aling with all facets from buying of land, servicing, designing and ilding, marketing selling and renting the finished product. In rlier years, the company had centred its activities on residential nstruction in the Ottawa area, but over the past ten years, it d begun to diversify and had become involved in commercial develop- nts in Ottawa and was currently involved in a very large project Florida. Minto had also diversified into other fields of eration.

Since the 1950s, the company's philosophy had always been to ild major projects and it had always believed in them being well ilt and well designed. In fact, over the years, Minto had won ny awards for the excellence of design. A necessary activity in ese years had been a close involvement with municipalities, often all municipalities faced with a large amount of urban growth. In course of this experience, the company had developed a very mple philosophy: what was good for the municipality was good for nto.

As the Mayor had mentioned, Minto had been interested in the Kingston area for some time, and in 1977 the Place d'Armes project had been brought to its attention. The Company had taken a somewhat unusual route, in that it had been very anxious to hear the views and comments expressed by the public on its proposals for the area. The current proposal was the result of that input and reflected many of the concerns expressed at the original public meeting held last year, as well as being a response to the City's proposal call. The original proposal was for a mixed use development with a single department store. Their initial thoughts were that there should be one department store, plus an equivalent amount of additional retail space. However, as they had become more involved, they recognized that whatever development came into Kingston was required to do two things: first, it should revitalize the Central Business District and second, since it would be there for a very long time, it had to withstand pressure from suburban development. Because of these factors, they had become convinced that the only really viable long-term solution was to enlarge the retail component to include a second department store. Minto believed it was absolutely necessary for the downtown to become the dominant factor in the Kingston market place. One could not lose sight of the fact that there was another regional shopping centre site in Kingston Township which obviously posed a threat to the downtown business area.

Mixed use developments (MXDs) were very complicated, and required a competent team of specialists working together. Minto's whole experience over the past 20 years had been in co-ordinating and directing the work of those specialists. Mr. Russell believed that Minto had such a strong team, and first introduced Mr. Gerry Schwartz, an expert in retail economics.

Mr. Schwartz said he had been spending most of his time working on mixed use developments, particularly the retail component. This was a skill which was particularly well matched to the challenge of downtown Kingston and its revitalization. He then proceeded to summarize the key features of the Minto proposal. This would allow everyone to see the thinking which had shaped the proposal, particularly the retail element and its mixed-use aspects. Then Colin Stevens and Peter Martin would outline the plans quite thoroughly, how it fitted into the community and what it would look like.

The first key feature of the proposal was that it was a mixed use project, incorporating shopping in a retail centre, significant hotel space, offices (including OHIP) and residential. The significance of a mixed use project in the revitalization of the downtown could be seen in a number of examples of other downtowns in the province, from the major cities such as Montreal and Toronto where mixed use developments such as Place Ville Marie and the Eaton's Centre (Toronto) were integral to the downtown, to smaller cities such as North Bay and Peterborough. The whole point of mixing uses was that one use fed another: the hotel fed the shopping area, residential fed the shopping area, etc., etc. A synergy was brought about which allowed that the sum of the whole project to be greater than each of the individual components.

The second aspect of the project that was noteworthy was that it was completely integrated, tied together in every respect. It was very important to have shopping tied in in a mixed use project. This proposal would not "turn its back on Princess Street", rather the project was opened up to pedestrian flow, channelling it so that it worked for the downtown as a whole.

The other key feature was that this was a two department store proposal, not one, and Minto felt very strongly about this aspect. In no way was this proposal a least-risk, least-cost proposal. It was ambitious and, he believed, properly so for the downtown of the major city in the upper St. Lawrence. He also believed that each of the units in this mixed use project was supportable and workable in Kingston. The fundamental question was where the community set its own goals and ambitions and how it responded to such a proposal. Minto was

allowing the City to set its own ambitions for the project. Why was Minto proposing to build a tougher project, with not one department store but two, plus a hotel, office and residential space? He felt the answer to that question was based in a broader context of what is happening, not just in Kingston, but in Canada and in North America as a whole. There was an explosion of interest on the part of developers in the so-called "middle market" cities, i.e. of around 50,000 population in a central area. This was also true of retailers, who were equally interested in this market. It was not hard to see why. They were running out of opportunities in the major metropolitan areas. It was also easy to see why there was more than one developer seeking this opportunity. The middle market was a market of opportunity and Kingston was in a beautiful position to tap that opportunity for developers and retailers. Secondly, there was a resurgence of interest on the part of retailers in the downtown. It had been shown to be something which could survive and be viable. The development of public programs such as the Ontario government's Downtown Revitalization Program supported this kind of integrated development which Minto was proposing. Finally, the integration of uses in one spot, in a mixed use development was something that had been shown to be workable. It was too complicated for the 60s. It had been shown to be workable in major metropolitan areas, minor metropolitan areas, middle markets, and was something developers could take on today.

Mr. Schwartz gave a slide presentation, which began with an outline of major studies done recently on the subject of Mixed Use Developments. There was a sky-rocketing level of interest now in these type of developments. As he saw it, Kingston was riding the wave of middle market, revitalization of the downtown, and the resurgence of interest in the Central Business District - the wave of mixed use development. In looking at what could be achieved in this area, Minto had studied the Chapman report which dealt with the question of how much retail space was supportable. The Chapman study had concluded that by 1984, without disturbing the existing stock of retail now in place, the warranted retail space would be somewhere between 500,000 and 600,000 sq. ft. Everyone in this community was going to be challenged, and he believed this challenge was in the downtown. Against this total market, there was a major suburban shopping centre proposed, that would take up perhaps at minimum slightly below what was supportable. This would leave no demand left, according to Chapman's findings. He contended that if the suburban development was allowed to go forward on the scale shown, and one department store was brought into the downtown, at something less than half the size of the suburban centre, then the downtown store would pale by comparison - less variety, less size, less reason for coming downtown. The downtown was the location for retail dominance in the Kingston trade area, and if there was adequate demand to support the retail element as was now proposed, 500,000 sq. ft. in total, one must ask the question: should the department store downtown be smaller? This was broader than just "the City and the Township". Was this public policy or opportunism? It was clearly not public policy to support that view. In his opinion, the two department store proposal now before the City offered the opportunity.

He recalled the example of Peterborough, where there had been a commitment by municipalities that no retail development other than in the downtown would take place. He called attention to the fact that in the United States right now, the Carter Administration was considering a policy of cutting off federal funds to suburban developments where the downtown was in jeopardy. This was the challenge: in middle markets which could only support one dominant retail development, where should that development take place? This was the decision the City had to make, in the context of the two proposals before it.

Mr. Colin Stevens introduced a further slide presentation and outlined the Minto proposal in detail. Minto had had a long association with Ottawa, a city oriented to the water, and this had brought it to Kingston in 1977. Place d'Armes was conceived initially as an integrated, mixed use development anchored by a single department store. However, after consultation with the Hudson Bay Company, Minto was convinced that only a two department store scheme

uld act as a catalyst for the downtown to become the focus of the gion. The proposal was submitted to the City and the ratepayers sociations, Downtown Business Association, Chamber of Commerce and e Historic Foundation. Renderings and a model were produced as extension of this well-thought-out project. Dialogue with the mmunity was sought in order to respond to their aspirations. The ews and comments of various community groups had been incorporated this new proposal.

E CONCEPT

The area proposed for redevelopment was outlined on a map, d a major element was the focus on Princess Street. The proposal cluded two department stores, a supermarket, major hotel, and jacent to and connected to part of the redevelopment area was a sidential development on Anglin Bay. The area at the south west rner of the redevelopment area had been left as a private devel- ment, and was not part of the proposed Minto development.

reet Level

Mr. Stevens showed the proposed location of the department ore, extending for not quite half a block and set back along from incess Street. Moving northwards, this led into the galleria in ich associated retail stores would be situated. This in turn led to a mini-market square at the northern end of the retail compon- t, to the west of which would be situated the supermarket, and to e east of which would be situated the second major department store. covered bridge led across the Ordnance Street extension to the sidential development along Anglin Bay, with the OHIP building tuated in the westerly section of this area. It was proposed that e supermarket be about 35,000 sq. ft.

It was proposed that the entrance to the project (off incess Street) be small scale rather than large scale, with a recourt landscaped with trees. The scale of the buildings would such that they blend and relate to the existing buildings along incess Street. The galleria space would be pedestrian-oriented, d something similar to the Eaton Centre galleria in Toronto. was proposed that two levels of retail be situated within the lleria as well as two levels of offices. The galleria would thus oriented towards office workers as well as shoppers. It was oposed that the northernmost end of the complex (flanked by the permarket to the west and the other department store to the east) uld have restaurants, and other entertainment facilities.

rst and Second Levels

It was proposed that retail and offices overlook the assed-in area of the galleria. There would be a connecting link rough the covered bridge to the hotel, also situated on the north ction nearest Anglin Bay. Thus all components would be linked to ch other. The hotel and residential units would act as the focus r the northern end of the project.

As was evident from the plans, the location of the OHIP ilding in the northern sector was shown on its own site. There d been discussions with the Ontario government in this regard, d the form the structure took in the proposals was compatible th the space needed by OHIP.

Four levels of parking were shown, with a total of 2,600 aces. Offices were located over the retail area.

cess to the Project

It was proposed that there by a two way system around the ge of the project. Ordnance Street would be extended to lead to e Causeway. Servicing facilities and other underground facilities uld be located in the northern sector of the project. Although e department store at the eastern end of the project might seem mote from Princess Street, it was situated on the main traffic trance for cars and the bulk of the parking would be at this end

uilding Facades

The scale of the project at Princess Street is actually lower han the scale of the S & R building and only rises in the galleria ne-third of the way down Princess Street. Minto was very conscious f the scale of the buildings on Princess Street and had fought to et away from any feeling of "high rise". They saw Wellington Street s set back and heavily landscaped and bermed. The Queen Street acade would be related to the scale of existing buildings.

aterfront Park, Promenade and Marina

This had always been a major part of the scheme, bringing eople from the project and department store across the bridge to he hotel, office building, and marina with a public square and the pportunity for people to walk completely around Anglin Bay along a ublic walkway. A children's play area could be located here, with n outside market, a place for people to sit by the waterfront. It ould also create a unique opportunity for residential development long the waterfront.

Mr. Peter Martin, Vice-President of Planning for M.M. Dillon ssociates, said he was one of those hard-headed engineers and planners ho had to make sure this project worked, that the concept was work-ble, and that it conformed with the City's plans. Over a year ago, e had told a meeting that the original Minto project would work. e had, however, gone back and said it would be better if the project ere extended to Princess Street. One of the tasks facing the eng-neers and planners was to provide ready access to the project while etaining pedestrian freedom. A ring road system was proposed and it eemed a bold scheme to many people. This went right around the roject, the proposed commercial and mixed-use area, and they also elieved it should extend over Princess Street to Brock Street, and o around that as well, thus leaving Princess Street open for the ransit mall, only for transit vehicles and pedestrians, not as a eavy traffic carrying street.

The ring road would take in the major commercial area. This ould permit the improvement between the Causeway and Rideau Street, ince at the moment, Place d'Armes was not a good connection. This ould involve closing a number of streets through the project. They elieved that that would work. It might be a very big pill to swallow hen the main streets were closed, but the engineers who designed this hink it will work and they were prepared to sit down with the City's ngineers and planners to demonstrate where the traffic would go and ow it could be satisfactorily handled. One of the advantages of the ing road was that a transit loop could be run around the ring road, iving the opportunity to run the transit loop around the department tores, the OHIP building and still serve existing uses. He felt his was quite a plus for transit, to serve so many uses.

Because of the street closing, some relocation of utilities ould be necessary, and Minto's engineers were prepared to sit down ith City officials to work out these details and show how they feel his can be done.

Mr. Martin was also responsible for advising the developers ow much parking was necessary for a project of this nature. He did ot believe it was right to come up with very general figures, but ccurate ratios for each use were better. Necessary figures were 3.5 spaces per thousand square feet of retail use; 4 spaces per housand for office use; 5 spaces per thousand for the convention ntre. A total of 2,600 spaces was proposed to accommodate the arking within the project. This was additional to parking which ould be provided by OHIP, which would be separate.

Following from these considerations was the City's planning interests. Bearing in mind the downtown vs suburbs matter, he had to say that from a planning point of view, and especially if the suburban centre went ahead, any downtown project had to have at least equal department store space to a suburban project. He was pleased to hear the marketing people say that this could be done if the downtown moved fast enough. He also felt the project needed

ariety, since that was what the downtown itself needed. He felt it as important that the hotel, marina and convention centre were comitted in this project. They were not just things which might take lace, they were integral to the commercial part of the project. t was essential to have this in the downtown. Also, it was open o the waterfront, as suggested by the City's Official Plan. Because ingston was already benefiting from having part of its waterfront pen to the public, this could be very attractive. Minto had also aken into account the scale of the buildings which would be retained, uch as the PUC sub-station, the Police station and the Legion buildng.

Another planning consideration was the minimizing of reocation. He felt it was very important to retain the Princess Street rontage. For those people who had seen Kitchener, it appeared very oorly planned, since there was a department store wall along the ain street, which was not desirable. He would not like to see this appen in Kingston, although it was tempting to place the department tore in that way. When this happened, the development turned outside n, with very few windows or activity on the outside. He felt it was ery important that the block be retained, and the buildings retained ith the department store set back. The retention of uses where it ade sense was important, to minimize relocation problems.

In total, Mr. Martin believed that the scheme proposed now as workable, from an engineering, planning, and retail point of view, nd that it would fulfil what the City was seeking for the downtown. e felt it would also fulfil what the Hon. John Rhodes had said much arlier: "The preservation and revitalization of the core area of our owns and cities is one of the most important social objectives we ill face over the next few years. The downtown is the heart of the ommunity and expresses in very real terms the character and the eart of the people it represents". He believed this project did ust that.

Mr. Russell said he had listened to the Chartwood presentation wo nights ago, and wished to echo the sentiments expressed then by Mr. agwood: all the plans and dreams were great, but the developer could ot do it alone. It had to be a joint venture between the developer, he City and the Province, since none of the downtown schemes could e justified on economic grounds without subsidy.

inancing

To answer what he felt was probably the most major question, r. Russell outlined the financial aspect of the proposal. Minto stimated that the total cost of the project would be around $64 million. he amount of subsidy that would be required was $19 million, of which he City's share would be one-third or $6.3 million. However, an nteresting aspect of this proposal was that a lot of the land within he proposal was already owned by the City. The cost of that land was ncluded within the $64 million total. Consequently, if the land was een as part of the City's share, the cash outlay required from the ity would probably be not more than $2 million.

Although the proposal as presented at this meeting was a esign concept, rather than cold facts and figures, he had felt it as unfair not to give at least some idea of the total cost of the roject.

Mr. Russell concluded by saying that the City of Kingston was ounded by the vision of a few people and it was rewarding to see that his vision was reflected in the City's proposal call to revitalize he downtown. Minto appreciated the opportunity to respond to this.

The Mayor opened the meeting for questions.

Ald. Gorham asked if the marina lands were also included in the calculations - he assumed that Minto had not done so. He asked what Minto's intentions were with regard to the S & R store, which he felt was an already existing department store in the downtown. He felt it was obvious that certain stores should be retained as part of the character of the downtown.

With regard to major tenants, Mr. Russell said that Eaton's was fundamentally committed to downtown and at the same time, the suburban development was going forward. What was happening was a game of poker. One store was now committed to the downtown, and that was Eaton's.

Ald. Gorham noted that Eaton's had indicated they were only interested in the Chartwood development proposal.

Mr. Russell said that Minto's view was that Eaton's was voting primarily for the downtown vs suburban centre. Minto's view was that one department store in a downtown development would not work in contrast with several in suburban developments. They felt there was an opportunity for two department stores downtown.

In response to a further question, Mr. Russell said that they had had discussions with other retailers and the hotel, etc., but that the problem right now was that until the City made a decision, with regard to whichever project it felt should proceed, then Minto could not commit itself to other tenants. It was almost like a game of blind man's bluff.

Mr. Collins asked, if Chartwood went ahead with its project, Minto would be interested in proceeding in some kind of partnership with Chartwood for residential and other development.

Mr. Russell said he did not think this would be possible, since they believed that what the downtown needed was a completely integrated scheme. The Chartwood proposal he had seen was not an integrated, mixed use development, but rather a proposal for a retail/commercial project. He did not believe it would be possible to add on to this in bits and pieces.

Mrs. Cooper said that in light of the earlier comments made on mixed use developments, it would seem that residential components would be the most important, since they would get people into the project in the first place, on a continuous basis, rather than just on occasions. She asked whether any thought had been given to integrating the residential component right into the heart of the core development.

Mr. Schwarz said this was possible, but the presence of people within walking distance of office and retail space was really what would bring alive this kind of mixed use development project on weekends and in the evenings.

Mr. Martin said there was a limit to what the market would stand in the way of residential units.

Mr. Russell said if the question was "could you put the residential portion right over the galleria" he felt the answer was no, since residential living was not really desirable in that kind of a "goldfish bowl" environment.

Mr. L. Marans said that Minto appeared to be proposing a very dense kind of development, in terms of retail space, almost half a million square feet. Since the amount of total retail space in the lower downtown was almost equal to this, and because of the way in which the department stores and the parking were located, did Minto not feel that this would substantially damage the existing downtown core?

Mr. Martin said he did not think it would. They had addressed this question in their written proposal. It was tempting to try and win the approval of the merchants on Princess Street by saying that a portion of the Minto project should provide parking for the existing merchants, but he did not feel this was the right answer. He felt that parking to help the merchants should be located to the west of the Minto project, and much closer in that direction, and he felt they really needed it there.

Mr. Schwartz said he felt the first thing to bear in mind was that the amount of space now proposed was in line with what was needed in the City. The second point was that they had to acknowledge

With regard to major concerns, Mr. Russell said that there were [illegible] fundamentally commitments to downtown and at the same time, that [illegible] development was going forward. That was competing [illegible] of policy. One stone was now [illegible] to the [illegible] [illegible].

Mrs. Gorham noted that Macy's had indicated they were [illegible] interested in the Chestnut development proposal.

Mr. Russell said that Ninth's plan was what Macy's had [illegible] primarily for the downtown to function [illegible]. With [illegible] which one department store in a downtown development would [illegible] in contrast with several in suburban developments, there [illegible] was an opportunity for two department stores downtown.

In response to a further question, Mr. Russell said that [illegible] had had discussions with other retailers and the stores [illegible] that the problem right now was that until the City made a decision with regard to whatever project it felt should proceed, they would not commit itself to either because [illegible]. It was already [illegible] of blind man's bluff.

Mr. Collins asked, if Chestnut went ahead with the project, [illegible] would be interested in proceeding in some kind of [illegible] [illegible] for residential and other developments.

Mr. Russell said he did not think that would be good [illegible] very believed that what the downtown needed was a comprehensive [illegible] scheme. The Chestnut proposal he had seen [illegible] mixed the development, and called a [illegible] commercial project. He did not believe it would be [illegible] to do this in bits and pieces.

Mrs. Cooper said that in light of the question [illegible] development, it would seem that the [illegible] be the most important [illegible] in the first place, as a [illegible] technology. The [illegible] and [illegible] the residential component [illegible] development.

Mr. Johnson said this was possible, but [illegible] within walking distance of office and retail [illegible] would bring this kind of [illegible] and in the [illegible].

Mr. Martin said there was a limit to what the [illegible] in the way of residential space.

Mr. Russell said if the question was [illegible] residential portion might meet the [illegible] residential living was not really desirable in that [illegible] "middle [illegible]" environment.

Mr. [illegible] said that [illegible] appeared to be proposing [illegible] kind of development, in terms of retail space, [illegible] a million square feet. [illegible] which the [illegible] and the [illegible] felt that this would [illegible].

Mr. Martin said he did not think [illegible] had [illegible] question in their written proposal. It was [illegible] with the approval of the [illegible] Street by [illegible] a portion of the Ninth project should provide parking [illegible] existing merchants, but he did not feel this was the right [illegible]. He felt that parking to help the merchants should be [illegible] part of the Ninth project, and [illegible] that they really needed it there.

Mr. Russell said he felt the first thing [illegible]. The second point was [illegible].

that the way in which the new retail space related to the merchants on Princess Street was very important. If this project turned its architectural back to Princess Street with a blank wall, this would damage the retailers who were there now. It also had to be acknowledged that the drawing power and appeal of a new merchandising machine was going to challenge the merchants who were there now to do something with their space, their facades and to do something about the parking situation.

Ald. Webb said he believed the final figure given was about $19 million. Much had been said at earlier stages about the huge costs of relocating services due to a redevelopment project. He had yet to hear anything about the total cost of construction and reconstruction of sewers, streets, sidewalks, water and other services. This might double the City's costs, and would have to be borne under general rate or local improvements.

Mr. Russell said that the City's share was estimated at $6.3 million, although in fact the land now owned by the City in the redevelopment area was probably worth about $4 million on the open market. Certainly, there would have to be some relocation of the services and the cost of that work was included in the total figure of $64 million already mentioned.

Ald. Webb repeated his request for an estimate of the cost of relocation of services.

Mr. Russell said that he did not have those detailed breakdowns of costs yet, and felt that this was neither the time nor the place for such details. As Mr. Martin had mentioned earlier, if the Minto proposal was accepted by the City, they would be happy to go through the detailed figures with City officials. However, the point now was to decide in principle which proposal the City preferred to, see built. He had said to another meeting a year ago that Minto could not do this alone, let alone the financing. All required changes, rerouting of streets and services, etc., were included in the estimate of $64 million total.

Ald. Lampropoulos asked if there were a phasing plan in mind as yet, whether the whole thing would be begun at the same time or in phases, and what kind of timetable Minto had in mind.

Mr. Russell said that obviously the developer could not begin every component at the same time in a project of this size, it just wouldn't make economic sense. It was obviously something that would have to be phased in a reasonable way. For instance, the Eaton's Centre in Toronto had been built in stages, starting at one end and working towards the other. Equally obviously, Minto could not begin construction until they were sure they had tenants for the property. There was also the hiatus period, during which the City would have to make its initial decision about what it wanted to do here. They could not do anything at all until the basic decision was made. It was in everyone's interest to heed the urgency of the matter, since this was a choice between the downtown and the suburbs.

Mr. Schwartz said that the shopping centre was designed as one unit with the department store and the galleria. That would have to be completed at the same time and would be the first step.

In response to a question from Mr. Lampropoulos, Mr. Schwartz agreed that this would depend on the signing of the major tenant.

A citizen said that one of the problems he perceived as being major was the matter of access to the downtown.

Mr. Russell said he agreed that access was very important. However, Minto had not addressed the matter of traffic circulation in the outer areas of the City, because they understood this was now the subject of a study being prepared for the City by Marshall Macklin Associates.

In response to a further question from an interested citizen, Mr. Russell said he would certainly agree that extra parking should be

provided for the benefit of the businesses on Princess Street. However, he did not feel Minto could provide this in their development, since it was their view that this parking should be further up Princess Street to be of benefit, where it would act as a counter balance to the Minto development parking area.

In response to a further question, Mr. Russell agreed that a mall like the Sparks Street mall in Ottawa was dead at night. This was due to the fact that there was very little residential accommodation in close proximity to this type of mall. That was why it was proposed that residential units be situated, not right in the development, but very close to and connected with it. An example of a better mall area was the Byward Market area in Ottawa, where there was still a large residential section.

Mr. Cunningham pointed out that in its written proposal, Minto had indicated that it had obtained control over most of the non-municipally owned land within the project. He asked what was the extent of this control and why, if Minto had felt secure in obtaining this, it had not yet done the same with regard to tenants.

Mr. Russell said that the control consisted of options on these properties. Their reason for acquiring these options was a sensible one. It proved to them that the land could, in fact, be bought without serious holdups and delays, because if one became involved in having to expropriate, this was a long process. In taking options on these properties, Minto was making a commitment to itself.

Ald. Gorham said he noticed that in its brochure, Minto had said it could begin construction in the Spring of 1980, whereas at this meeting, Mr. Russell had indicated this would have to await the signing of a major tenant. What concerned him at this moment was the time frame, since it was well known that the City was now in a position of competition with Kingston Township. If Eaton's or another department store did not go with the Minto project, then he could foresee the City losing both projects because of the time factor. If Cadillac-Fairview began to build first out in the Township, then he could see the City losing out to everything.

Mr. Russell said he did not think Minto had ever said it would definitely begin construction in 1980. He felt it was important to remember that regardless of whether the City choice was the Minto project or the Chartwood project, both were at present only in the concept stages. It took a great deal of time to prepare the detailed building drawings, and obviously this could not be done until the initial agreement was made. This also allowed time for the developer to react to the City's comments and requests. On the basis of his 20 years of experience in this business, he would not be foolish enough to say that building could definitely start in the spring of next year.

Ald. Gorham said that assuming Minto began in the fall of 1980, and Cadillac-Fairview began next summer, would this finish the Minto project?

Mr. Russell said he didn't think they would put the shovel in the ground next summer. He felt the thing Kingston had going for it was the downtown location, because this development could be done in the downtown. He felt it would be premature for Cadillac-Fairview to develop its two department store site now. This was Minto's view. Obviously, if Cadillac-Fairview began construction of the whole thing next week, the City and the developer would have to re-examine their aims and objectives.

Ald. Gorham said Minto's market analysts had indicated that the City could withstand the impact of this major complex. Yet the other evening, Chartwood had indicated it felt that a project of its size was the largest that could survive in the marketplace in Kingston. He asked Mr. Russell to explain the difference between these two positions.

Mr. Russell said he could not speak for Chartwood. However, as he had mentioned earlier, whatever went into the downtown was going to be there for a very long time, at least 100 years, and had to be strong enough to survive the competition from the outlying areas. Chartwood believed that its proposal was viable. They were entitled to their opinion as Minto was entitled to its opinion. They believed that, in the long run, the Chartwood proposal was not viable. This was a decision that the City of Kingston had to make.

Ald. Gorham said his problem was that he wondered how two developers could read the same report and come up with different answers to the same question.

Mr. Schwarz said that in his mind, the way to guarantee the success of the Cadillac-Fairview scheme in the Township would be for the City to choose a project with only one department store in the downtown. That was an opportunistic approach. If one wished to get away from thinking of oneself as the"effect", and start thinking as the "cause", and create a dominant, two-department-store centre in the downtown, then this would diminish the opportunities for the Township. There was not room for both and to allow only one department store in the downtown was to acknowledge that the larger centre would be built in the suburbs. Did the City wish to start from the premise that this was a "given", or did it wish to question this assumption? Did it wish to create a context within which two stores could come into the downtown? Then the first step was to go with the proposal which provided for this.

Ald. Gorham said that reading from the Chapman report, he would not have thought a centre this large was economically feasible.

Mr. Schwarz said that according to Chapman, there was not enough market to accommodate all the proposals. There was enough market, according to this report, for two department stores by 1984 and the additional retail space. There was not enough support for four department stores. This trade area could not support both the suburban Cadillac-Fairview and a project downtown of the size proposed by Minto. What he was suggesting was a contest, whereby the department stores are going to decide where to go based on all considerations. The first step would be taken in this if only one were located, in the downtown.

Ald. Matthews said he shared Ald. Gorham's concerns. He felt a bird in the hand was worth two in the bush. Chartwood said they had Eaton's. Could Minto get a letter from Eaton's saying that if Chartwood's proposal were not accepted, they would go with Minto? He also asked what other projects of this scale Minto had completed, and pointed out too that Chapman had completed his report for those who did not wish to see a north-end shopping centre. It all depended on who the report was completed for, which way the report read.

Mr. Russell said he agreed it was unfortunate for different people to tell you different things. This happened to everyone. All these statements were made relevant to someone's judgment and beliefs. The Chapman report had been done without any axe to grind, since it was done for the City itself. It was interesting to note that Chapman had said that the downtown could survive without change in light of suburban activity, but what he also said was that as the disposable income in the market area was increasing, the dollar level of disposable income being spent in the downtown would remain at the same level. Obviously this meant a real decline, and he would be very concerned with that conclusion.

Mr. Russell said that Minto had not put together this amount of square footage in this type of development before. But they were not just talking about building a shopping centre. What suprised him was that the people who normally just did shopping centres and did not look at other forms of development, seemed to have become very rigid in their ideas, and did not want to do anything other than a shopping centre. This was the problem, they could not see the synergy of a mixed use development.

Mr. Russell went on to say that as far as the question about Eaton's was concerned, he honestly did not know the answer. He could not give an answer to this question now. There was no question in his mind that dealing with department stores was, as he had said earlier, like a massive game of poker. Nobody knew exactly why they said what they said, exactly when they said it. He could quote what Eaton's had said to him last week, or last month or yesterday, but what would be the point of that? He really felt the best way for the City to go now would be to make a decision - there was a choice between a two department store proposal and a one department store proposal. The City had to make up its mind what it wanted, and then ensure it happened.

Ald. Knapp said there appeared to be a general feeling of uncertainty as to the viability of the Minto proposal, and it seemed that the underlying reason was the size and scale of the project. People were just not convinced that such a mammoth undertaking would be feasible over a short period of time. This proposal was, in essence, an expansion of the one Minto had presented to the City over a year ago. He felt the reason for the feeling of encouragement with the Chartwood proposition was because they had the major department store already. Based on the earlier, smaller-scale Minto proposal, and the new Chartwood proposal, he would suggest that there was room for both, in that the City did not really have a choice, both of the projects could be brought in. If the City were to choose the Chartwood proposal first, would Minto throw in its hand in this game of poker, or wait and play out the next round?

Mr. Russell said that the game he had alluded to was with the department stores. Both proposals involved a fair amount of the same land. He did not see how the City could have both.

Ald. Knapp said that since Minto's expertise was in developing residential and commercial properties, and Chartwood's expertise was primarily in retail, perhaps the two could be combined.

Mr. Russell said that he didn't believe the Chartwood proposal would create the synergy they were interested in. The type of proposal Chartwood had made did not involve the integration of mixed use development, and they just couldn't believe in that. Obviously, therefore, they would not be interested in considering this, they just didn't think it was right for Kingston.

Mr. L. Marans asked if the project were built tomorrow, and other factors in the downtown remained equal, would the downtown be severely damaged? Secondly, did Minto have a proven record of any department store now operating in Canada?

Mr. Russell said that the answer to the first question was conditionally no, because inevitably, even if a Chartwood-size project went into the downtown, there would be some change in attitude, even if the good merchants welcomed the scheme. These were changes with which any astute businessman lived with every day anyway. In answer to the second question, Minto had not built a department store before, but if the question was about their credibility in this regard, then obviously the department stores believed in Minto's credibility, since they had spent many hours talking with them.

In response to a question from Ald. Miller, Mr. Russell said that Minto was not proposing to do anything at all with the north half of the block south of Wellington on Princess Street. They were very concerned with the proper integration of the project, which was why the westerly department store was proposed to be set back from Princess Street. Some of it would be taken out to replace it with stores that do face out on Princess Street, so its integrity would be maintained. They were not proposing to do anything on the block south of this, apart from bridging over King Street itself, because they believed that this access should be from the main floor of the department store. They recognized S & R as an historic building and felt that what was going on there now was very good. They also felt a great deal of study should be done in this area which they hadn't yet had time to do.

In answer to a question from Mr. Sorensen as to whether Minto proposed to have the galleria open 24 hours a day, Mr. Russell said that they would like to see this happen although this would be a commitment from the City to police it. The most desirable course would be for it to remain open.

In response to a question from Ald. Gorham as to how Minto had calculated the value of the City-owned property within the project area, Mr. Russell pointed out that the City owned the PUC block, what was now being used on the next block and a smaller piece, and the streets. He felt that there was around $4 million of market value in what the City owned there.

In response to a further question from Ald. Gorham as to whether or not the Province would include this in the assessment of value, Mr. Russell said he did not feel this was the time and place for that type of financial negotiation. Obviously, the successful proponent would discuss this with everyone concerned.

Mayor Keyes thanked everyone for participating in this very important meeting and indicated that the City would now take this matter to its technical staff and to the Downtown Core Committee and there would be a future meeting on it. It was certainly the City's hope that within two or three weeks, it would be in a position to make a recommendation through Council. Time was a great factor in this issue. We know the potential for development in Kingston Township. It was not only the City which had to do a lot of work, it was also greatly up to the Province as well, since everyone knew it could not be done without them.

ADJOURNMENT

The meeting adjourned at 9.45 p.m.

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
DEC 5 1979

CITY COUNCIL MEETING NO. 45

The Regular Meeting of City Council will be held on Monday, November 12, 1979 commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 43 held on October 29, 1979 be confirmed.

COMMUNICATIONS

To be Filed

(651) Copy of a letter to Mr. Peter Fountas, Hellas Tavern, 403 Princess Street, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Fountas' application for additional dining lounge facilities (building alterations) to accommodate 135 people at the Hellas Tavern.

File No. 12-6

(652) Statement of Revenue and Expenditures for the month of September, 1979 from the Public Utilities Commission of the City of Kingston, Transit Department, showing the following deficits:

	1979 Budget Estimates	1979 to date	Month of September 1979	1978 to date
Operating Deficit:	$793,443.	$640,345.	$49,157.	$503,603.
Debentures:	27,645.	20,734.	2,304.	20,768.
Total Deficit:	$821,088.	$661,079.	$51,461.	$524,371.

File No. 17-11.2

COMMUNICATIONS (Cont'd)

To be Referred to the Chief Administrative Officer

(653) From the Corporation of the City of Windsor requesting that the City of Kingston endorse their resolution which reads as follows:

> *"WHEREAS the Minister of Revenue has decided to discontinue the use of complete and comprehensive property descriptions and in due course will also eliminate the depth of properties from the assessment rolls which are prepared by the Regional Assessment Office for distribution to municipalities annually;*
>
> *AND WHEREAS the following major procedures undertaken by municipalities involving the examination of the assessment rolls require that detailed property descriptions be available.*
>
> *a) preparation of property lists used by City Departments in connection with zoning amendments, street and alley closings, Committee of Adjustment applications, improvement areas, local improvement assessments;*
>
> *b) the calculation of local improvement assessments which are determined on the basis of property dimensions;*
>
> *c) responding to requests received from the public including real estate offices, lawyers, building contractors, investment firms, banks, as well as all municipal departments;*
>
> *d) establish new polling subdivision boundaries for municipal election purposes;*
>
> *e) determine ownership and property dimensions for weed cutting charges;*
>
> *f) to ascertain the existence or otherwise of alley or street allowances;*
>
> *g) preparation of petitions for local improvements;*
>
> *h) preparation of petitions for street and alley closings;*
>
> *AND WHEREAS the only alternative to municipalities is that they prepare mylar plans which would contain the dimensions for each property in the municipality which would have to be cross-referenced to the assessment rolls;*
>
> *AND WHEREAS the preparation and up-dating of these plans by all municipalities would entail a considerable amount of work and in many instances additional staff would be required;*
>
> *AND WHEREAS all information has in the past been available from the assessment roll and in the future will require an examination of both the assessment roll and the plan prepared by the municipality;*

COMMUNICATIONS (Cont'd)

(653 Cont'd)

> *AND WHEREAS the additional cost to the municipality to gather and up-date this information does not appear to be justified when it is now available at the Regional Assessment Office but not printed on the assessment rolls;*
>
> *THEREFORE BE IT RESOLVED that the Minister of Revenue be asked to reconsider his Ministry's decision to discontinue the printing of complete and comprehensive property descriptions on the assessment rolls in view of the additional cost and inconvenience this would cause to all municipalities."*

File No. 1-3

(654) From the Ministry of Housing advising of their approval of Amendment No. 24 to the Official Plan for the Township of Kingston Planning Area to permit expansion of the K-Mart Plaza from 130,000 sq. ft. to 202,000 sq. ft.)
(City Council, at their meeting of August 27, 1979, passed a resolution that the Ministry of Housing be notified that the City had no objection to official Plan Amendment No. 24).
File No. 16-1.2-1

(655) From the Ministry of Transportation and Communications forwarding the City of Kingston's transit agreement for the physically disabled which has been approved by the Minister for the purpose of providing provincial subsidy assistance.

File No. 2-5.1

Which has been Referred to the Parks & Recreation Commissioner

(656) From the Ministry of Culture and Recreation advising that the City of Kingston's application for capital assistance from Wintario has been approved for a grant for a maximum amount of up to $4,508.63. This grant is intended to assist with construction of the City Park Fitness Trail, to include a jogging trail and warm-up and exercising stations.

File No. 17-3

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 112 of the Chief Administrative Officer be received and considered.

REPORT NO. 112

November 12, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law Fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Canadian Citizenship Court, the Citizenship Officer and the Judge be permitted the use of Memorial Hall, Council Chamber, Sir John A. Macdonald Room, and the John Counter Room or substitute rooms, free of charge for the dates and times set out in the attached letter from Ms. D. Trottier, Manager, Ottawa Citizenship Court.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "A", 3 Pages.)

(See By-Law No. 4 - No. 79-260)

2. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law Fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Kingston Youth Orchestra be permitted to use Memorial Hall free of charge for rehearsals but would pay the approved fee for the concert nights - and further -

That, when required, the Kingston Youth Orchestra be required to pay for the extra security needed for control or because the City of Kingston does not have staff on i.e. Saturday, November 10, 1979, 1 - 4 P.M., (1 security person), Sunday, November 11, 10 A.M. to 4.30 P.M., (2 security persons), Friday, November 16, 1979, 7 P.M. - 9.30 P.M. (1 security person).

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 4 Pages.)

(See By-Law No. 4 - No. 79-260)

3. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law Fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that Ministry of Secretariat for Social Development be permitted to use the City Hall Rooms, etc., for a Seminar on "Think About the Family" to be held on December 1st 1979 free of charge - and further -

That the Ministry of Secretariat for Social Development be required to pay for the extra staff, as required.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "C", 3 Pages.)

(See By-Law No. 4 - No. 79-260)

That as recommended by the Commissioner of Works, authorization be given to the release of the holdback in the amount of $2,749.91 under Contract No. 79-10W, Bennett Paving and Materials Limited, for the asphalt overlay on various streets.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "D", 1 Page.)

5. That, as recommended by the Commissioner of Works, authorization be given to the release of the holdback in the amount of $2,000.00 under contract 78-7W with D. A. Foley Ltd., $244.34 being retained to cover a sidewalk deficiency.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "E", 1 Page.)

6. That, as recommended by the Commissioner of Works, a By-Law be presented to Council to authorize the construction of a sanitary sewer and services in easement, Street "Z" and Street "Y" in the Clyde Farm from the North End Truck Sewer to Street "X" as follows:

Total estimated cost	$87,000.
Debenture Amount	$87,000.

- and further -

That the following amendment to the Capital Budget be approved:

	INCREASE	DECREASE
General Rate Projects - Sanitary Sewers - Industrial Land Service	$7,000.	
Local Improvements - Public Works Roads - Street X - Counter - 1,100' Northerly		$7,000.

(Note: A copy of the report of the Chief Administrative Officer and the Commissioner of Works is attached hereto as Schedule "F", 3 Pages.)

(See By-Law No. 1 - No. 79-257)

That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a By-Law be presented to Council to authorize the construction of an asphalt pavement (7.3m wide) in Street "X" from Counter Street to northerly, 332.54m including 1.2m shoulders and boulevard under the provision of Section 7 of the Local Improvement Act - (City assumes 50% of the cost of extra wide boulevard for future road widening), as follows:

Total Estimated Cost	$53,250.00
Owner's share	14,723.50
City's share	38,526.50
Debenture Amount	53,250.00

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "G", 2 Pages.

Please Note: Report of Chief Administrative Officer with regard to Clause 6, refers to this Clause as well.)

(See By-Law No. 2 - No. 79-258)

8. That, as recommended by the Commissioner of Industries and Airport Administrator, the account of D. & M. Aircraft Maintenance Ltd. in the amount of $880.76 for the supply of one Radair 10B transceiver and crystals to be used in the Michigan Loader at the airport be paid, it being noted that there are sufficient funds in the 1979 Airport Budget for this purpose.

(Note: A copy of the report of the Commissioner of Industries and Airport Administrator and the Chief Administrative Officer is attached as Schedule "H", 2 Pages.)

9. WHEREAS Council approved of three events of the Canadian United Kingdom Dance Club as being of community benefit by Clause 7 of Report No. 106, 1979;

AND WHEREAS the Canadian United Kingdom Dance Club have notified that Event No. 3 has now been scheduled for March 15, 1980, instead of April 19, 1980, because the Hall is not available in April;

THAT Clause 7, Report No. 106, 1979, be amended by deleting the date "April 19, 1980" and by substituting therefor the date "March 15, 1980".

10. That, as recommended by the Commissioner of Industries and Airport Administrator, the account of Quintal & England Ltd. in the amount of $760.04 for roof repair work on Hangar No. 3 (Kingston Tennis World) and $556.48 for roof repairs on Hangar No. 4, be paid;

(Note: A copy of the report of the Commissioner of Industries and Airport Administrator is attached hereto as Schedule "I", 3 Pages.)

11. WHEREAS at the meeting of City Council held on September 10th 1979, Council agreed to requesting the firm of L. J. Tremblay Engineering Limited be engaged to resolve the heating deficiency in the Zerox section of the Olympic Site;

AND WHEREAS Council further agreed that L. J. Tremblay Engineering Limited would come forward with a firm proposal to Council for consideration with ways and means of improving the efficiency of the energy conservation at the Site;

AND WHEREAS L. J. Tremblay Engineering Limited have presented the following proposal to Council:

"The Firm of L. J. Tremblay Engineering Limited proposes to conduct an in-depth energy conservation program at the Portsmouth Olympic Harbour. The proposed program would contain the following three phases:

1. REPORT AND RECOMMENDATIONS

The report would contain a complete analysis of the Energy Consumption patterns, systems and operations. The

11. (cont'd).

recommendations would be in the form of proposed retrofit measures. Included in each retrofit measure would be the cost benefits of changes. All the retrofit measures would be listed in order of increasing pay-back periods.

2. IMPLEMENTATION

Upon acceptance of the recommendations by City officials, exact specifications would be prepared, and quotations would be obtained. The installation of the retrofit changes would be supervised and detailed operating instructions would also be written.

3. FOLLOW-UP

The performance of the total energy systems would be monitored for the period of one year following the completion of the retrofit changes. The tracking systems would then be passed on to the owner for ongoing monitoring.

BASED ON an analysis of the building and its systems it is estimated that this program would lead initially to an energy cost avoidance to the City of some $13,000 per annum. This is a decrease of 23% in 1979 dollars. The cost of retrofit would be approximately $4,000.

The completion time for this project would be about one month from the date of approval of this proposal.

The fees to undertake this project would be calculated on an hourly basis according to the current APEO fee schedule to an upset limit of $4,000.00 plus travel expenses.".

THEREFORE AS RECOMMENDED BY THE Chief Administrative Officer and the Commissioner of Parks and Recreation an agreement be entered into with L. J. Tremblay Engineering Limited based on the foregoing proposal for an energy study proposal for the Olympic Harbour Site at an upset limit of $4,000 for engineering fees, plus travelling and $4,000 for retrofit. - and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
Finance Contingencies		$8,500.
Portsmouth Olympic Harbour	$8,500.	

- and further -

That Council request L. J. Tremblay Engineering Limited to submit a further proposal for a #2 long range proposal that would involve higher capital costs and longer recovery of revenue which would involve technical advice on insulation, etc. it being noted that while the recovery period is longer, it will be very meaningful over the next 5 to 10 years.

- and further -

That the Mayor and City Clerk be authorized to sign the necessary agreement for the energy study proposal at the Portsmouth Olympic Harbour Site.

(Note: A copy of the report of the Chief Administrative Officer and the Commissioner of Parks and Recreation is attached hereto as Schedule "J", 8 Pages.)

11. That the Mayor and City Clerk be authorized to sign an assignment of the lease between Wallace S. Murray and the City of Kingston to Harrowsmith Securities Limited for Lot 5, Registered Plan 525, in the Township of Pittsburgh, in the County of Frontenac, for a period ending June 30th 1980 in the form attached hereto as Schedule "K" *(5 Pages)* - and further -

That an agreement be entered into with Harrowsmith Securities Limited for the said property for a period of five years at the annual rental of $780.00 to be effective July 1st 1980 in accordance with the policy approved by Council for lease of lots at the Sewage Treatment Plant.

(Note: A copy of the policy approved by City Council for lease of lots at the Sewage Treatment Plant is attached hereto as Schedule "K", Page 4 .)

12. That consideration be given to the appointment of Mr.J. A. Stretton as the City's appointee to the Board of Governors of the St. Lawrence College of Applied Arts and Technology effective Jan. 1st 1980.

(Note: A copy of the resume of Mr. James A. Stretton and the letter from the Council of Regents for Colleges of Applied Arts and Technology was distributed with the agenda.)

13. That, as recommended by the Administrator of Traffic, Streets and Parking, a by-law be presented to Council to amend Section 10(b) (Bus Stops) of By-Law 24 (Traffic) as follows:

Delete :	Area
Portsmouth Ave. (W/S) at Princess Street	80 feet from Princess St. northerly (By-Law 4865-1965)
Add:	
Portsmouth Ave. (W/S) opposite Hampstead Heath	60 feet.

(Note: See Schedule "L" attached hereto (5 Pages.)
(See By-Law No. 3 - No. 79-259).

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer.

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTION

BYLAWS

(A) That By-Law Nos. 1 to 5 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law Nos. 3 to 5 their Third Reading.

(C) That By-Laws 3 to 9 be given their Third Reading.

* * *

A By-Law to Authorize the Construction of a Sanitary Sewer and Services in Easement, Street "Z" and Street "Y" in the Clyde Farm from the North End Truck Sewer to Street"X" (General Rate)

(FIRST AND SECOND READINGS) (PROPOSED NO. 79-257)
(Clause 6, Report No. 112).

A By-Law to Authorize the Construction of an Asphalt Pavement in Street "X" from Counter Street to northerly 332.54m including 1.2m Shoulders and Boulevard Under the Provisions of Section 7 of the Local Improvement Act (Petition)

(FIRST AND SECOND READINGS) (PROPOSED NO. 79-258)
(Clause 7, Report No. 112).

A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act. (Clause 13, Report 112)

(THREE READINGS) (PROPOSED NO. 79-259)
(Clause 13, Report No. 112).
(Subject to approval of the Ministry of Transportation and Communication.)

A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber". (Clauses 1, 2 and 3, Report No. 112).

(THREE READINGS) (PROPOSED NO. 79-260)
(Clauses 1, 2 and 3, Report No. 112).

A By-Law to Confirm the Proceedings of Council at Its Meeting Held on November 12th 1979.

(THREE READINGS) (PROPOSED NO. 79-261)
City Council Meeting No. 45, 1979.

BYLAWS (Cont'd)

6) A By-Law to Authorize the Construction of a 200 mm Watermain in Cowdy Street from Thomas Street to Russell Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING
Clause 8, Report No. 96, 1979 Proposed No. 79-205

7) A By-Law to Authorize the Reconstruction of Asphalt Pavement in Ontario Street from 3.66 m North of Clarence Street to Johnson Street (including a Temporary Ramp across Johnson Street as City's Share) under the Provisions of The Local Improvement Act (Petition).

THIRD READING
Clause 14, Report No. 96, 1979 Proposed No. 79-206

) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk 2.44 m Wide in (1) Ontario Street from Clarence Street to Johnson Street and in (2) Johnson Street, North Side, from Ontario Street Easterly 4.27 m under the provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING
Clause 2, Report No. 100, 1979 Proposed No. 79-224

) A By-Law to Authorize the Reconstruction of the Pavement 10.67 m Wide in Bagot Street from Johnson Street to Brock Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING
Clause 3, Report No. 100, 1979 Proposed No. 79-225

* * *

UNFINISHED BUSINESS

ADJOURNMENT

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
DEC 5 1979

CITY COUNCIL MEETING NO. 45

The Regular Meeting of City Council was held on Monday, November 12, 1979 commencing with an "In Camera" session from 7:01 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:05 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Keyes (arrived at 7:20 p.m.) Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky (arrived at 7:12 p.m.) Ald. Timmins, Ald. Webb (15)

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

CARRIED

(Council Chamber)

(B) Moved by Ald. Clark,
Seconded by Ald. Clements,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

The Chairman reported that the following motions were passed in the Committee of the Whole:

(1) Moved by Ald. Webb,
Seconded by Ald. Gorham,

That the Caucus Meeting be held on November 26, 1979 at 7:00 p.m. prior to the regular meeting of Council.

CARRIED

(2) Moved by Ald. Hawkins,
Seconded by Ald. Lampropoulos,

That pursuant to Section 1 of By-Law No. 1, 1979, the regular meetings of Council for the month of December be held on December 3 and 17, 1979 and if necessary, a special meeting be held on December 10, 1979, at the call of the Mayor.

CARRIED

(3) Moved by Ald. Timmins,
Seconded by Ald. Webb,

That effective November 13, 1979 no transfers within the categories of the 1979 current budget be permitted without the approval of Council.

CARRIED

COMMITTEE OF THE WHOLE "IN CAMERA" (Cont'd)

(4) Moved by Ald. Clark,
Seconded by Ald. Bishop,

That subsequent to program budgets being prepared and submitted, a time and date be arranged for retreat of Council to assess the said program

CARRIED

* * *

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the report of the Committee of the Whole be adopted, approved and firmed.

CARRIED

MINUTES

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That the Minutes of Meeting No. 43 held on October 29, 1979 be confirmed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 657 to 659.

Filed

(651) Copy of a letter to Mr. Peter Fountas, Hellas Tavern, 403 Princess Street, Kingston, from the Liquor Licence Board of Ontario advising of their favourable decision with regard to Mr. Fountas' applicatio for additional dining lounge facilities (building alterations) to accommodate 135 people at the Hellas Tavern.

File No. 12-6

(652) Statement of Revenue and Expenditures for the month of September, 1 from the Public Utilities Commission of the City of Kingston, Trans Department, showing the following deficits:

	1979 Budget Estimates	1979 to date	Month of September 1979	1978 to date
Operating Deficit:	$793,443.	$640,345.	$49,157.	$503,603
Debentures:	27,645.	20,734.	2,304.	20,76
Total Deficit:	$821,088.	$661,079.	$51,461.	$524,371

File No. 17-11.2

Referred to the Chief Administrative Officer

(653) From the Corporation of the City of Windsor requesting that the City of Kingston endorse their resolution which reads as follows:

"WHEREAS the Minister of Revenue has decided to discontinue the use of complete and comprehensive property descriptions and in due course will also eliminate the depth of properties from the assessment rolls which are prepared by the Regional Assessment Office for distribution to municipalities annually;

AND WHEREAS the following major procedures undertaken by municipalities involving the examination of the assessment rolls require that detailed property descriptions be available.

a) preparation of property lists used by City Departments in connection with zoning amendments, street and alley closings, Committee of Adjustment applications, improvement areas, local improvement assessments;

b) the calculation of local improvement assessments which are determined on the basis of property dimensions;

c) responding to requests received from the public including real estate offices, lawyers, building contractors, investment firms, banks, as well as all municipal departments;

d) establish new polling subdivision boundaries for municipal election purposes;

e) determine ownership and property dimensions for weed cutting charges;

f) to ascertain the existence or otherwise of alley or street allowances;

g) preparation of petitions for local improvements;

h) preparation of petitions for street and alley closings;

AND WHEREAS the only alternative to municipalities is that they prepare mylar plans which would contain the dimensions for each property in the municipality which would have to be cross-referenced to the assessment rolls;

AND WHEREAS the preparation and up-dating of these plans by all municipalities would entail a considerable amount of work and in many instances additional staff would be required;

AND WHEREAS all information has in the past been available from the assessment roll and in the future will require an examination of both the assessment roll and the plan prepared by the municipality;

Communications (Cont'd)

(653 Cont'd)

AND WHEREAS the additional cost to the municipality to gàther and up-date this information does not appear to be justified when it is now available at the Regional Assessment Office but not printed on the assessment rolls;

THEREFORE BE IT RESOLVED that the Minister of Revenue be asked to reconsider his Ministry's decision to discontinue the printing of complete and comprehensive property descriptions on the assessment rolls in view of the additional cost and inconvenience this would cause to all municipalities."

File No. 1-3

Filed

(654) From the Ministry of Housing advising of their approval of Amendment No. 24 to the Official Plan for the Township of Kingston Planning Area to permit expansion of the K-Mart Plaza from 130,000 sq. ft. to 202,000 sq. ft.)
(City Council, at their meeting of August 27, 1979, passed a resolution that the Ministry of Housing be notified that the City had no objectio to official Plan Amendment No. 24).

File No. 16-1.2-1

(655) From the Ministry of Transportation and Communications forwarding the City of Kingston's transit agreement for the physically disabled which has been approved by the Minister for the purpose of providing provincial subsidy assistance.

File No. 2-5.1

Referred to the Parks & Recreation Commissioner

(656) From the Ministry of Culture and Recreation advising that the City of Kingston's application for capital assistance from Wintario has been approved for a grant for a maximum amount of up to $4,508.63. This grant is intended to assist with construction of the City Park Fitness Trail, to include a jogging trail and warm-up and exercising stations.

File No. 17-3

Filed

(657) From the Liquor Licence Board of Ontario informing the City that application has been made for the issue of a liquor licence for additional dining lounge facilities at the Ambassador Tavern, Kingston and advisin that when the application has been scheduled for a public hearing, the Board will provide Council with a copy of the Board's letter to the applicant setting out the date, time and place of the hearing.

File No. 12-6

Referred to the City of Kingston Planning Board & Housing Sub-Committee

(658) From the Ministry of Housing informing the City of the transfer of CSHP Rent Supplement Units from Administration by Housing Authorities and OHC to respective Non-Profit Corporations.

(Note: Copies of the above letter have been distributed to all members of Council)

File No. 8-3.19

COMMUNICATIONS (Cont'd)

Referred to the Commissioner of Works

(659) From the Regional Municipality of Waterloo requesting that the City of Kingston endorse their resolution which reads as follows:

"That the Minister of Natural Resources be requested to delay second reading of Bill 127, an Act to Revise the Pits and Quarries Control Act, 1971, until such time as the Regulations to be made under this Act are circulated to Ontario municipalities with 60 days to comment;

And further, that it be written into the Act that any Regulations which may, from time to time, be promulgated under this Act, be circulated to Ontario municipalities with 60 days to comment."

File No. 17-3.5

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council Rise from the Committee of the Whole and the Chairman Report.

CARRIED

The Chairman reported that the following report was considered in the Committee of the Whole:

REPORTS

Report No. 112 - Chief Administrative Officer

Council consented to the addition of Clause 15 to Report No. 112.

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Report No. 112 of the Chief Administrative Officer be received and considered.

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

REPORT NO. 112

November 12, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

Ald. Matthews and Ald. Webb declared a conflict of interest in Clause 1 as they are employed by the Federal Government.

1. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law Fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Canadian Citizenship Court, the Citizenship Officer and the Judge be permitted the use of Memorial Hall, Council Chamber, Sir John A. Macdonald Room, and the John Counter Room or substitute rooms, free of charge for the dates and times set out in the attached letter from Ms. D. Trottier, Manager, Ottawa Citizenship Court.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "A", 3 Pages.)

(See By-Law No. 4 - No. 79-260)

CARRIED 13:0
Ald. Matthews abstained from voting
Ald. Webb abstained from voting

2. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law Fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Kingston Youth Orchestra be permitted to use Memorial Hall free of charge for rehearsals but would pay the approved fee for the concert nights - and further -

That, when required, the Kingston Youth Orchestra be required to pay for the extra security needed for control or because the City of Kingston does not have staff on i.e. Saturday, November 10, 1979, 1 - 4 P.M., (1 security person), Sunday, November 11, 10 A.M. to 4.30 P.M., (2 security persons), Friday, November 16, 1979, 7 P.M. - 9.30 P.M. (1 security person).

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "B", 4 Pages.)

(See By-Law No. 4 - No. 79-260)

CARRIED

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

3. That, as recommended by the Commissioner of Parks and Recreation, By-Law No. 21, "A By-Law Fixing Rental to be Charged for Memorial Hall, Committee Rooms and Council Chambers", be amended to provide that the Provincial Secretariat for Social Development be permitted to use the City Hall Rooms, etc., for a Seminar on "Think About the Family" to be held on December 1st 1979 free of charge - and further -

That the Provincial Secretariat for Social Development be required to pay for the extra staff, as required.

(Note: A copy of the report of the Commissioner of Parks and Recreation is attached hereto as Schedule "C", 3 Pages.)

(See By-Law No. 4 - No. 79-260)

CARRIED 14:1
Ald. Webb opposed

4. That as recommended by the Commissioner of Works, authorization be given to the release of the holdback in the amount of $2,749.91 under Contract No. 79-10W, Bennett Paving and Materials Limited, for the asphalt overlay on various streets.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "D", 1 Page.)

CARRIED

5. That, as recommended by the Commissioner of Works, authorization be given to the release of the holdback in the amount of $2,000.00 under contract 78-7W with D. A. Foley Ltd., $244.34 being retained to cover a sidewalk deficiency.

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "E", 1 Page.)

CARRIED

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

6. That, as recommended by the Commissioner of Works, a By-Law be presented to Council to authorize the construction of a sanitary sewer and services in easement, Street "Z" and Street "Y" in the Clyde Farm from the North End Truck Sewer to Street "X" as follows:

Total estimated cost	$87,000.
Debenture Amount	$87,000.

- and further -

That the following amendment to the Capital Budget be approved:

	INCREASE	DECREASE
General Rate Projects		
- Sanitary Sewers		
- Industrial Land Service	$7,000.	
Local Improvements		
- Public Works Roads		
- Street X - Counter - 1,100' Northerly		$7,000.

(Note: A copy of the report of the Chief Administrative Officer and the Commissioner of Works is attached hereto as Schedule "F", 3 Pages.)

(See By-Law No. 1 - No. 79-257)

CARRIED

Ald. Webb declared a conflict of interest in Clause 7 as his wife is related to an abutting property owner.

7. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a By-Law be presented to Council to authorize the construction of an asphalt pavement (7.3m wide) in Street "X" from Counter Street to northerly 332.54m including 1.2m shoulders and boulevard under the provision of Section 7 of the Local Improvement Act - (City assumes 50% of the cost of extra wide boulevard for future road widening), as follows:

Total Estimated Cost	$53,250.00
Owner's share	14,723.50
City's share	38,526.50
Debenture Amount	53,250.00

(Note: A copy of the report of the Commissioner of Works is attached hereto as Schedule "G", 2 Pages.

Please Note: Report of Chief Administrative Officer with regard to Clause 6, refers to this Clause as well.)

(See By-Law No. 2 - No. 79-258

CARRIED 14:0
Ald. Webb abstained from voting

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

8. That, as recommended by the Commissioner of Industries and Airport Administrator, the account of D. & M. Aircraft Maintenance Ltd. in the amount of $880.76 for the supply of one Radair 10B transceiver and crystals to be used in the Michigan Loader at the airport be paid, it being noted that there are sufficient funds in the 1979 Airport Budget for this purpose.

(Note: A copy of the report of the Commissioner of Industries and Airport Administrator and the Chief Administrative Officer is attached as Schedule "H", 2 Pages.)

CARRIED

9. WHEREAS Council approved of three events of the Canadian United Kingdom Dance Club as being of community benefit by Clause 7 of Report No. 106, 1979;

AND WHEREAS the Canadian United Kingdom Dance Club have notified that Event No. 3 has now been scheduled for March 15, 1980, instead of April 19, 1980, because the Hall is not available in April;

THAT Clause 7, Report No. 106, 1979, be amended by deleting the date "April 19, 1980" and by substituting therefor the date "March 15, 1980".

CARRIED

10. That, as recommended by the Commissioner of Industries and Airport Administrator, the account of Quintal & England Ltd. in the amount of $760.04 for roof repair work on Hangar No. 3 (Kingston Tennis World) and $556.48 for roof repairs on Hangar No. 4, be paid;

(Note: A copy of the report of the Commissioner of Industries and Airport Administrator is attached hereto as Schedule "I", 3 Pages.)

CARRIED

At the request of Ald. Hawkins, Council agreed to divide Clause 11 into Parts "A" and "B" for consideration.

11(A) WHEREAS at the meeting of City Council held on September 10th 1979, Council agreed to requesting the firm of L. J. Tremblay Engineering Limited be engaged to resolve the heating deficiency in the Zerox section of the Olympic Site;

AND WHEREAS Council further agreed that L. J. Tremblay Engineering Limited would come forward with a firm proposal to Council for consideration with ways and means of improving the efficiency of the energy conservation at the Site;

AND WHEREAS L. J. Tremblay Engineering Limited have presented the following proposal to Council:

"The Firm of L. J. Tremblay Engineering Limited proposes to conduct an in-depth energy conservation program at the Portsmouth Olympic Harbour. The proposed program would contain the following three phases:

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

11(A) (Cont'd)

1. *REPORT AND RECOMMENDATIONS*

The report would contain a complete analysis of the Energy Consumption patterns, systems and operations. The recommendations would be in the form of proposed retrofit measures. Included in each retrofit measure would be the cost benefits of changes. All the retrofit measures would be listed in order of increasing pay-back periods.

2. IMPLEMENTATION

Upon acceptance of the recommendations by City officials, exact specifications would be prepared, and quotations would be obtained. The installation of the retrofit changes would be supervised and detailed operating instructions would also be written.

3. *FOLLOW-UP*

The performance of the total energy systems would be monitored for the period of one year following the completion of the retrofit changes. The tracking systems would then be passed on to the owner for ongoing monitoring.

BASED ON an analysis of the building and its systems it is estimated that this program would lead initially to an energy cost avoidance to the City of some $13,000 per annum. This is a decrease of 23% in 1979 dollars. The cost of retrofit would be approximately $4,000.

The completion time for this project would be about one month from the date of approval of this proposal.

The fees to undertake this project would be calculated on an hourly basis according to the current APEO fee schedule to an upset limit of $4,000.00 plus travel expenses.".

THEREFORE AS RECOMMENDED BY THE Chief Administrative Officer and the Commissioner of Parks and Recreation an agreement be entered into with L. J. Tremblay Engineering Limited based on the foregoing propos for an energy study proposal for the Olympic Harbour Site at an upset limit of $4,000 for retrofit,

- and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
Finance Contingencies		$4,000.
Portsmouth Olympic Harbour	$4,000.	

- and further -

That the sum of $4,500. for Engineering fees and travelling expenses be included in the 1980 budget in connection with the above noted energy study proposal to be completed by L.J. Tremblay Engineering Limited for the Olympic Harbour Site.

CARRIED AS AMENDED
(See following motion of amendme

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

11 (A) (Cont'd)

Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Clause 11 (A) be amended as follows:

1) Delete from Paragraph 4, fifth sentence the following words, "for Engineering fees, plus travelling and",

2) Delete the figures "$8,500" and substitute the figures, "$4,000. therefore,

3) Add the following:

" - and further - that the sum of $4,500 for Engineering fees and travelling expenses, be included in the 1980 budget in connection with the above noted energy study proposal to be completed by L.J. Tremblay Engineering Limited for the Olympic Harbour site".

CARRIED

11 (B) That Council request L. J. Tremblay Engineering Limited to submit a further proposal for a #2 long range proposal that would involve higher capital costs and longer recovery of revenue which would involve technical advice on insulation, etc. it being noted that while the recovery period is longer, it will be very meaningful over the next 5 to 10 years.

- and further -

That the Mayor and City Clerk be authorized to sign the necessary agreement for the energy study proposal at the Portsmouth Olympic Harbour Site.

(*Note: A copy of the report of the Chief Administrative Officer and the Commissioner of Parks and Recreation is attached hereto as Schedule "J", 8 Pages.*)

CARRIED
(See following motion to amend which was lost)

Moved by Ald. Hawkins,
Seconded by Ald. Tarnowecky,

That Clause 11(B) be amended to read:

"That Council request proposals for the study of a heat and energy conservation program at the Olympic Harbour site."

Lost 6:9

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

12. That the Mayor and City Clerk be authorized to sign an assignment of the lease between Wallace S. Murray and the City of Kingston to Harrowsmith Securities Limited for Lot 5, Registered Plan 525, in the Township of Pittsburgh, in the County of Frontenac, for a period ending June 30th 1980 in the form attached hereto as Schedule "K" (5 pages) subject to modifications considered necessary by the City Solicitor.

- and further -

That an agreement be entered into with Harrowsmith Securities Limited for the said property for a period of five years at the annual rental of $780.00 to be effective July 1st 1980 in accordance with the policy approved by Council for lease of lots at the Sewage Treatment Plant.

(Note: A copy of the policy approved by City Council for lease of lots at the Sewage Treatment Plant is attached hereto as Schedule "K", Page 4 .)

CARRIED

Ald. Clark and Ald. Timmins declared a conflict of interest in Clause 13 as Ald. Clark is employed by St. Lawrence College and Ald. Timmins works with Mr. Stretton.

13. That, as recommended by Mayor K. Keyes, Mr. J.A. Stretton be nominated as the City's appointee to the Board of Governors of the St. Lawrence College of Applied Arts and Technology effective January 1, 1980.

(Note: A copy of the resume of Mr. James A. Stretton and the letter from the Council of Regents for Colleges of Applied Arts and Technology was distributed with the agenda)

CARRIED 12:1
Ald. Hawkins opposed
Ald. Clark & Ald. Timmins abstained from vot
(See following motion which was lost

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That the matter of the nomination of Mr. J.A. Stretton as the City's appointee to the Board of Governors of the St. Lawrence College of Applied Arts and Technology be referred to the meeting of Caucus to be held on November 26, 1979.

LOST 6:7
Ald. Clark & Ald. Timmins abstained from voti

REPORTS (Cont'd)

Report No. 112 - Chief Administrative Officer

14. That, as recommended by the Administrator of Traffic, Streets and Parking, a by-law be presented to Council to amend Section 10(b) (Bus Stops) of By-Law 24 (Traffic) as follows:

Delete :	Area
Portsmouth Ave. (W/S) at Princess Street	80 feet from Princess St. northerly (By-Law 4865-1965)
Add:	
Portsmouth Ave. (W/S) opposite Hampstead Heath	60 feet.

(Note: See Schedule "L" attached hereto (5 Pages.)
(See By-Law No. 3 - No. 79-259).

CARRIED

15. That a By-Law be presented to Council to amend By-Law No. 79-162, "A By-Law to Authorize the Widening of the Intersection of Montreal Street and Stephen Street (General Rate)", to make it clear that the work includes "modification of traffic signal lights" as well as construction of new pavement and boulevard at intersection of Montreal and Stephen Streets."

This work was not detailed in Schedule "A" of the above noted By-Law.

(See By-Law 10: No. 79-262)

CARRIED

Respectfully submitted,

R. Hamilton
Chief Administrative Officer

* * *

Schedule "A" to Report No. 112
(Page 1)

NOV 5 1979

MEMORANDUM

TO: R. J. Hamilton,
Chief Administrative Officer.

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation.

DATE: November 2, 1979.

SUBJECT: CANADIAN CITIZENSHIP COURT - USE OF CITY HALL COMMITTEE ROOMS

ORIGIN: The Mayor referred Judge A. McKeown, Canadian Citizenship Court Judge, to the Parks & Recreation Department to see if the City could find ways and means to house this need, which was formerly accommodated in the County Court House.

ANALYSIS: The County Court House has become crowded and the requirements of the Canadian Citizenship Court could not be met. A Ms. D. Trottier met with me on September 28th, 1979, and we looked over the committee rooms at City Hall in concert with their needs for Court purposes. I have now received a letter from Ms. Trottier, which covers the entire requirements of the Court and as attached.

FINANCIAL CONSIDERATIONS: It is my understanding that the use of the rooms would be compliments of the City of Kingston.

RECOMMENDATION: Having carefully studied the requirements, and bearing in mind the importance of this Government function, I recommend that their request be granted This format of room requirements as spelled out in Ms. Trottier's letter, is very flexible, that is to say while we would use the Sir John A. MacDonald room, if some other need arose, the Court's requirements could easily be shifted to another, equally satisfactory location.

Douglas R. Fluhrer,
Commissioner.

DRF/sw
Attach.

Schedule "A" to Report No. 112
(Page 2)

Secretary of State Secrétariat d'État
Court of Canadian Citizenship,
150 Kent Street, Room 900,
OTTAWA, Ontario.
K1A 0M5

Tel. 992-4485

29 October 1979

Mr. Douglas R. Fluhrer,
Commissioner,
Department of Parks and Recreation,
City Hall,
KINGSTON, Ontario.

Dear Mr. Fluhrer,

I refer to our meeting of September 28, 1979 concerning possible use of City Hall facilities for citizenship purposes.

As discussed, it would indeed enhance our operation if the Citizenship Judge and officer would have accommodation in the Kingston City Hall for periods which I will outline later. The reception at City Hall was favourable and I have recently learned that my superiors are also in agreement to this proposal.

Therefore, let me briefly explain our requirements. I propose that our Citizenship officer be in Kingston for six days a month - that is, the first consecutive Wednesday, Thursday and Friday and the third consecutive Wednesday, Thursday and Friday. Our working hours would be on Wednesdays from 12:00 to 4:00 P.M., Thursdays from 8:30 to 4:00 P.M. and Fridays from 8:30 to 1:00 P.M. From our visit, the Sir John A. MacDonald Room seemed to suit our purposes.

Judge McKeown will also require office space for hearings with the persons applying for citizenship. It would appear that this would involve one room for once a month during the day. The John Counter room would suit her purposes.

In conclusion, we also require use of office space for a Citizenship Court. Again it would appear that this would be required once a month for two hours. As we have approximately 50 to 60 applicants becoming citizens, The Council Chambers appear to be more ideal. If volume permits, we might ask to use Memorial Hall.

.../2

The Citizenship officer who goes to Kingston is Mrs. Reinette Janisse. If this proposal is approved by City Council, Reinette will be informing you in advance of the times and dates required for both the hearings and court ceremonies.

Please advise me as soon as possible if Council approves this proposal. I thank you for your assistance and cooperation.

Yours sincerely,

DMT/bas

Ms. D. Trottier,
Manager, Ottawa Citizenship

Schedule "B" to Report No. 112
(Page 1)

MEMORANDUM

NOV 6 1979

TO: R. J. Hamilton
Chief Administrative Officer

FROM: Douglas R. Fluhrer
Commissioner, Parks & Recreation

DATE: November 6, 1979

SUBJECT: WAIVER OF FEEES

ORIGIN: A request for waiver of fees, for the use of Memorial Hall, from the Kingston Youth Orchestra has been received and is attached.

ANALYSIS: Our experience with this organization covers some 2 - 3 years and their program adds to the educational and cultural quality of life in the City. Further, the participants are school age and co-sponsored by Frontenac Board of Education and the Kingston Symphony.

They will have 2 concerts for the public and a charge of $1.00 admission is to be levied. Further, there will be 6 practice dates.

The only problem we have experienced is controlling the children running around the building and disturbing on-going meetings, etc.

ALTERNATE: Charge, as per the By-Law.

RECOMMENDATION: In view of the admission charge for the 2 concerts, and the long period of time required for rehearsals, I recommend they be charged for the 2 concert nights and that charges are waived for the rehearsals.

Further, when required, they should pay for the extra security required either for control or because we have no staff on, i.e. Saturday, November 10, 1979, 1 - 4 P.M., (1 security person), Sunday, November 11, 10:00 A.M. - 4:30 P.M., (2 security persons), Friday, November 16, 7:00 - 9:30 P.M., (1 security person).

Douglas R. Fluhrer,
Commissioner,

DRF/mc

CC: Mr. John McDougall

Schedule "B" to Report No. 112
(Page 2)

OCT 26 1979

October 24, 1979.

Mr. Douglas Fluhrer,
Parks and Recreation,
City of Kingston
K7L 2Z3

Dear Sir:

I am writing on behalf of the Kingston Youth Orchestra. During the month of November, the KYO will be renting Memorial Hall on eight different occasions; Nov. 5, 10, 11, 12, 16, 19, 26 and 28.

As you may know, the Kingston Youth Orchestra is a non-profit organization, sponsored by the Kingston Symphony, and the Continuing Education Department of the Frontenac Board of Education. Over the years, we have found Memorial Hall to be excellent musically as well as a beautiful place for our concerts. Normally our rehearsals are in a variety of other halls, but for this month we find that it is most convenient to work in Memorial for the entire monthly operation.

We are hosting a visiting orchestra from Montreal, the Montreal Civic Youth Orchestra and will be giving our own concert on November 28.

This letter is a request of your department for a waver of the usual fees for the rental of Memorial Hall. If you wish further information, please call me at 374.2516.

Looking forward to your reply at your earliest convenience,

Yours sincerely,

John McDougall

John McDougall
Manager,
Kingston Youth Orchestra,
R.R. # 1,
Verona, Ontario
K0H 2W0

Schedule "B" to Report No. 112
(Page 3)

November 5th, Monday	Rehearsal? 3:30-9:00 p.m. = 5 hrs. = 15.00 + 20.00 Extra Security	$35.00
✓November 10th, Saturday	Rehearsal 1:00-4:00 p.m. = 3 hrs. = 15.00 + 10.00 If Extra Security required = 3 hrs. @ 6.00	$25.00 $18.00
✓November 11th, Sunday	Rehearsal, Concert & Performance = 10.00 a.m. - 4:30 p.m. = 6½ hrs. = 15.00 x 2 people Security required = 7 hrs. @ 6.00 hrs. ea.	$27.50 $84.00
November 12th, Monday	Rehearsal? 7:00-9:30 p.m. = 2½ hrs. = 15.00 + 7.50 Extra Security?	$22.50
✓November 16th, Friday	Rehearsal? 7:00-9:30 p.m. = 2½ hrs. = 15.00 + 7.50 1 or 2 Security required? 1 anyway = 3 hrs. @ 6.00	$22.50 $18.00
November 19th, Monday	Rehearsal? 7:00-9:30 p.m. = 2½ hrs. = 15.00 + 7.50 Extra Security?	$22.50
November 26th, Monday	Rehearsal? 6:00-10:00 p.m. = 4 hrs. = 15.00 + 15.00 Extra Security?	$30.00
November 28th, Wed.	Concert ~~Rehearsal~~? 6:00-10:00 p.m. = 4 hrs. = 15.00 + 15.00 Extra Security?	$30.00
		$335.00

Friday if a Rehearsal, 1 Security person only.

Saturday if a Rehearsal, 1 Security person only.

Sunday we will require 2 Security persons.

If they will have enough person to keep control of the children that could save themselves the cost of hiring extra Security people as you well know in the past we have had troubles. There are four Monday nights which is Council and in the past there has been a noise factor of kids running around, up and down stairs and messing of the washrooms.

IT WOULD BE APPRECIATED IF THEY LEFT IT AS THEY FIND IT.

Schedule "B" to Report No. 112 (Page 4)

CORPORATION OF THE CITY OF KINGSTON

APPLICATION FOR USE
OF
MEMORIAL HALL, COUNCIL CHAMBER OR COMMITTEE ROOMS

Date: Oct 8 19 79

NAME OF ORGANIZATION: KINGSTON YOUTH ORCHESTRA

ADDRESS: C/O KINGSTON SYMPHONY ASSN, BOX 1616, KINGSTON, ONTARIO K7L

Please Mark Facility Desired: [✓ Memorial Hall] Council Chamber Sir John A MacDonald Room John Counter Room Elizabeth II Room Cataraqui Room Loyalist Room

R-Nov 5 3:30-9:00
R Nov 12 - 7-9:30 PM
R Nov 16 - 7-9:30 PM
R Nov. 19 - 7-9:30 PM
R Nov 26 - 6-10 PM
R Nov 25 - 6-10 PM
C Nov 25 R-Nov 11 - 1.00-4.00 p.m.

Date of Use: C-Nov 11 - 10.00 A.M. - 12.00 AND 2.00-4.30 p.m. Time of Use: ______ a.m./p.m. to ______ a.m./p.m.

Proposed Use: ORCHESTRA REHEARSAL & CONCERT

Admission Fee will be Charged: No ____ Yes ✓ How Much? $1.00

Alcoholic Beverages Will Be Served: No ✓ Yes ____ (Note Below*)

Mr.
~~Mrs.~~
~~Miss~~ JOHN McDOUGALL will be the representative attending this function as the "Person in Charge".

****

The above named organization agrees to the following conditions:-

(a) To be responsible for all damages to the building from, or arising out of, the use of the building, premises or any part thereof.

(b) To "save the City of Kingston harmless" from possible claims arising from the use of City premises, and shall assume the responsibility for claims arising from accidents which might occur in, or on, that portion of the premises rented or in an associated area.

(c) No equipment, or scenery, shall be attached to walls, floors or ceilings; or allowed to remain in stairways or corridors.

****

I hereby agree to conform to the regulations set out above, and enclose the deposit fee in the amount of $............ in accordance with the approved rate schedules.

PLEASE
THE ABO
ADDRES

SIGNED J. R. McDougall

* Special permission is required when alcoholic beverages are to be served. Please acquire the proper forms for approval from the Parks, Recreation & Property Department.

****

ACCOUNTING PURPOSES ONLY:

Deposit Received:.............. Breakdown of Charges:
Rental Fee: ....
Additional Charges: ....
Less Deposit: ....
Balance Owing:

Schedule "C" to Report No. 112
(Page 1)

MEMORANDUM

TO: R. J. Hamilton
Chief Administrative Officer

FROM: Douglas R. Fluhrer,
Commissioner, Parks & Recreation

DATE: November 7, 1979

SUBJECT: WAIVER OF FEES - USE OF CITY HALL ROOMS, ETC.
DECEMBER 1, 1979 (SATURDAY)
MINISTRY OF SECRETARIAT FOR SOCIAL DEVELOPMENT

ORIGIN: See attached letter from Joy Leslie, Family Seminar Coordinator.

ANALYSIS: This is a government sponsored, full day seminar. The only special requirement will be 1 day maid and 1 extra security man. This being a Saturday, and the fact that this seminar will use many areas and facilities throughout City Hall making extra help necessary.

RECOMMENDATION: It is recommended that there be no charge for the rooms and that a charge be made for the extra staff as required.

Douglas R. Fluhrer,
Commissioner.

DRF/mc

CC: Joy Leslie

Schedule "C" to Report No. 112
(Page 2)

336 Alfred St.
Kingston, Ontario
K7L 3S5

October 31, 1979

Mr. Douglas Fluhrer
Commissioner of Parks & Recreation
City Hall
Ontario St.
Kingston, Ontario
K7L 2Z3

Dear Mr. Fluhrer:

I am writing this letter to request your permission to use the facilities at City Hall on Saturday, December 1st, 1979. On that date, The Hon. Margaret Birch and Alderman Jim Clark are co-chairing a seminar entitled "Think About The Family".

Specifically, we will need to use the following meeting rooms:

- Council Chambers
- John Counter
- Sir John A. MacDonald
- Elizabeth II
- Cataraqui
- Frontenac
- Commodore ~~Berry~~
- Shoal Tower
- Memorial Hall
- Loyalist
- Market Island

We are hoping that due to the nature of this seminar, there could be a waiver of those fees normally charged for use of the building. Please advise me of our situation in this regard.

Thank you very much.

Yours truly,

Joy Leslie

Joy Leslie
Family Seminar Coordina

Schedule "C" to Report No. 112 (Page 3)

CORPORATION OF THE CITY OF KINGSTON

APPLICATION FOR USE OF MEMORIAL HALL, COUNCIL CHAMBER OR COMMITTEE ROOMS

Date: DEC 1ST 1979

NAME OF ORGANIZATION: Ministry of SECRETARIAT FOR SOCIAL DEVELOPMENT

ADDRESS: QUEEN'S PARK TORONTO
MOWAT BLOCK - [illegible]

Please Mark Facility Desired:

	Memorial Hall	John Counter Room
	Council Chamber	Elizabeth II Room
	Sir John A MacDonald Room	Cataraqui Room
		Loyalist Room

[illegible]
[illegible]
[illegible]
[illegible]
[illegible]

Date of Use: DEC 1ST Time of Use: 7:30 [✓ a.m.] p.m. to 6 a.m. [✓ p.m.]

Proposed Use: CONFERENCE - TIME FOR THE FAMILY

Admission Fee will be Charged: No X Yes ______ How Much? ______

Alcoholic Beverages Will Be Served: No ______ Yes X (Note Below*)

Mr. JAMES CLARK
Mrs.
Miss ______ will be the representative attending this function as the "Person in Charge".

****

The above named organization agrees to the following conditions:-

(a) To be responsible for all damages to the building from, or arising out of, the use of the building, premises or any part thereof.

(b) To "save the City of Kingston harmless" from possible claims arising from the use of City premises, and shall assume the responsibility for claims arising from accidents which might occur in, or on, that portion of the premises rented or in an associated area.

(c) No equipment, or scenery, shall be attached to walls, floors or ceilings; or allowed to remain in stairways or corridors.

[illegible]
549 5932
phoned
Oct 15/79
$138.00
[illegible]

****

I hereby agree to conform to the regulations set out above, and enclose the deposit fee in the amount of $............ in accordance with the approved rate schedules.

SIGNED ....Sinclair....

* Special permission is required when alcoholic beverages are to be served. Please acquire the proper forms for approval from the Parks, Recreation & Property Department.

****

ACCOUNTING PURPOSES ONLY:

Deposit Received:............... Breakdown of Charges:
Rental Fee: ....
Additional Charges: ....
Less Deposit: ....
Balance Owing:

Schedule "D" to Report No. 112
(Page 1)

MEMO:	Mr. R.J. Hamilton
DATE:	November 2, 1979
SUBJECT:	Contract 79-10W Asphalt Overlay Various Streets
ORIGIN:	Public Works Department
ANALYSIS:	The work has been completed without deficiencies and it is in order to release holdback.
EXISTING POLICY:	Council to authorize the release of holdback.
FINANCIAL:	The holdback is in the amount of $2,749.91.
RECOMMENDATIONS:	That Council authorize the release of the holdback under contract 79-10W in the amount of $2,749.91.

D. Graham, P. Eng.
Commissioner of Works

DG:hh

Schedule "E" to Report No. 112
(Page 1)

MEMORANDUM

TO: Mr. R.J. Hamilton, Chief Administrative Officer

DATE: November 2, 1979

SUBJECT: Contract 78-7W. This contract covered three road projects - Queen Mary Rd. north of Bath Rd. Algonquin Terrace, and Bath Rd. widening on the north side at the Shopping Plaza east of Portsmouth Ave.

ORIGIN: Public Works Department

ANALYSIS: The work has been completed. The audit report has been received from the M.T.C. and finds no errors requiring adjustment. Funds have been retained in the amount of $244.34 to cover a sidewalk deficiency. The balance of the funds retained pending receipt of the M.T.C. audit could be released in the amount of $2,000.00.

EXISTING POLICY: Council to authorize the release of holdbacks.

FINANCIAL: The holdback is in the amount of $2,244.34. With $244.34 being retained to cover correction of sidewalk deficiency this leaves $2,000.00 to release.

RECOMMENDATION: That Council authorize the release of the holdback in the amount of $2,000.00 under contract 78-7W with D.A. Foley Ltd., $244.34 being retained to cover a sidewalk deficiency.

D. Graham

D. Graham, P. Eng.
Commissioner of Works

DG:hh

Schedule "F" to Report No. 112
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTAR
K7L 2Z3
(613) 546-4291

Our Ref. No. 16-2

November 7, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: SANITARY SEWER - CLYDE FARM
ASPHALT PAVEMENT - COUNTER STREET

Council will note that we have provided for work in our 1979 Capital Budget in this regard and our City Engineer, at this time, is asking for approval for submissions to the Ontario Municipal Board to obtai their approval of this particular project.

It may mean, in future, that this location an design may be changed somewhat depending on the consult report, however, it would seem to be in order to obtain Ontario Municipal Board approval at this time without undertaking the physical construction until after the consultant is finished with his work.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "F" to Report No. 112
(Page 2)

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: November 5th, 1979

SUBJECT Sanitary Sewer in (the Clyde Farm) easement Street "Y" and Street "Z" from the North End Trunk Sewer to STreet "X". (see drawing)

ORIGIN Public Works Department

ANALYSIS The Clyde Farm was purchased in order that non-residential serviced land be available. It was decided to concentrate on the portion south of the CN. Funds were provided in the 1979 Capital Budget to initiate some of the servicing. While a consultant is to be retained to prepare a conceptual plan it is considered desirable to initiate a construction by-law for a sewer in a location as proposed by the City staff as it is late in the year. It may be necessary to amend this by-law when a plan is approved. Minimal work was done as regards design.

FINANCIAL The estimated cost is $87,000. Adequate funds are available in the Capital Budget. The cost is entirely City's share.

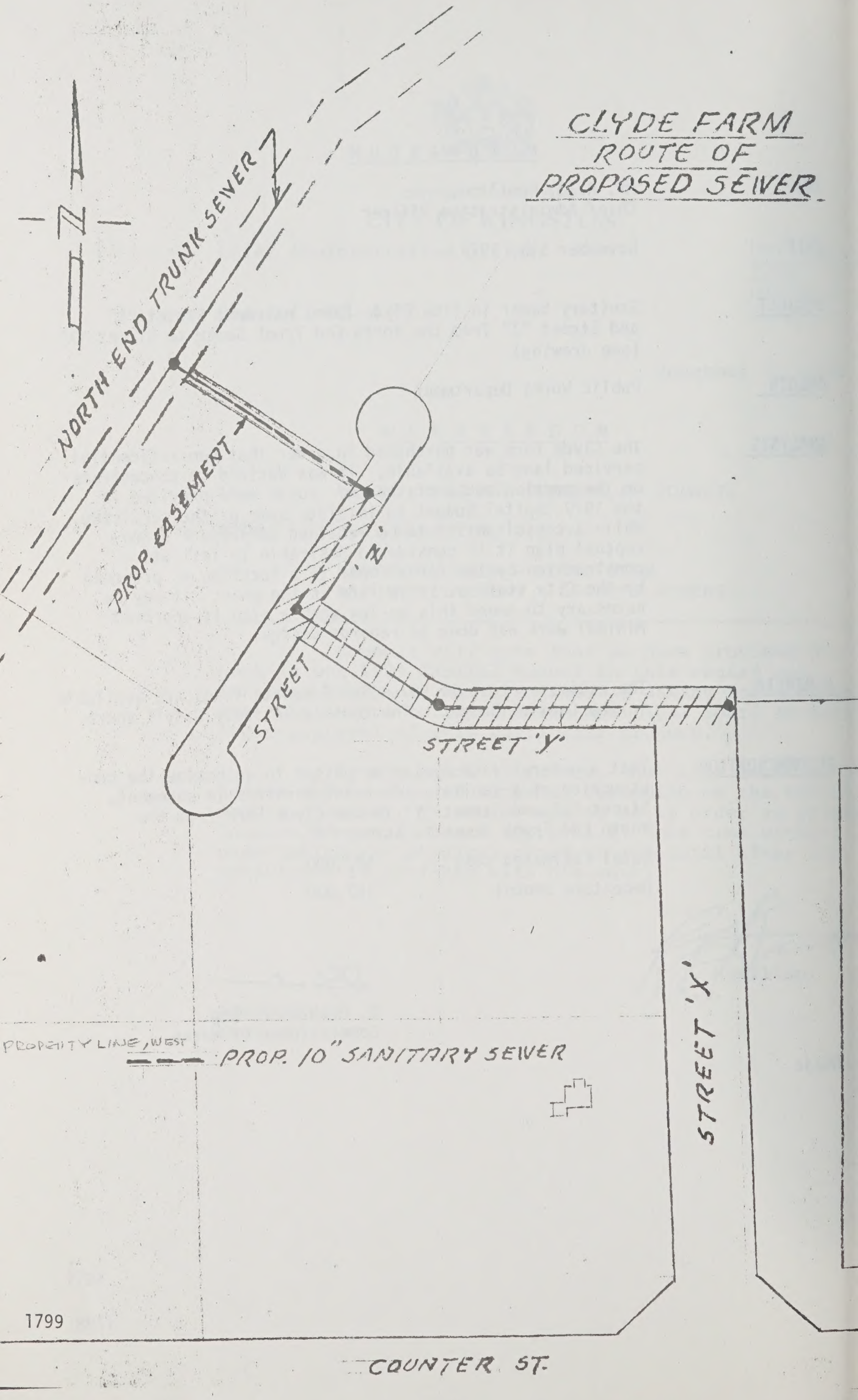
RECOMMENDATION That a general rate by-law be passed to authorize the construction of a sanitary sewer and services in easement, Street "Z" and Street "Y" in the Clyde Farm from the North End Trunk Sewer to Street "X".

Total Estimated cost	$87,000
Debenture amount	$87,000

D. Graham, P. Eng.
Commissioner of Works

DG/jc

Schedule "F" to Report No. 112
(Page 3)


CLYDE FARM
ROUTE OF
PROPOSED SEWER
N
NORTH END TRUNK SEWER
PROP. EASEMENT
STREET 'Z'
STREET 'Y'
STREET 'X'
PROPERTY LINE, WEST
PROP. 10" SANITARY SEWER
COUNTER ST.

Schedule "G" to Report No. 112
(Page 1)

MEMORANDUM

TO: Mr. R.J. Hamilton - Chief Administrative Officer

DATE: November 2, 1979

SUBJECT: Construct Asphalt pavement (7.3 meters wide) in Street "X" from Counter Street to northerly 332.54 m. including 1.2m shoulders and boulevard, (City assumes 50% of the cost of extra wide boulevard for future widening) - see drawing.

ORIGIN: A sufficiently signed petition for the above mentioned work has been received.

ANALYSIS: To serve the Clyde Farm Industrial Land and area, this road is a basic requirement.

FINANCIAL: Adequate funds are provided in the 1979 Capital Budget.

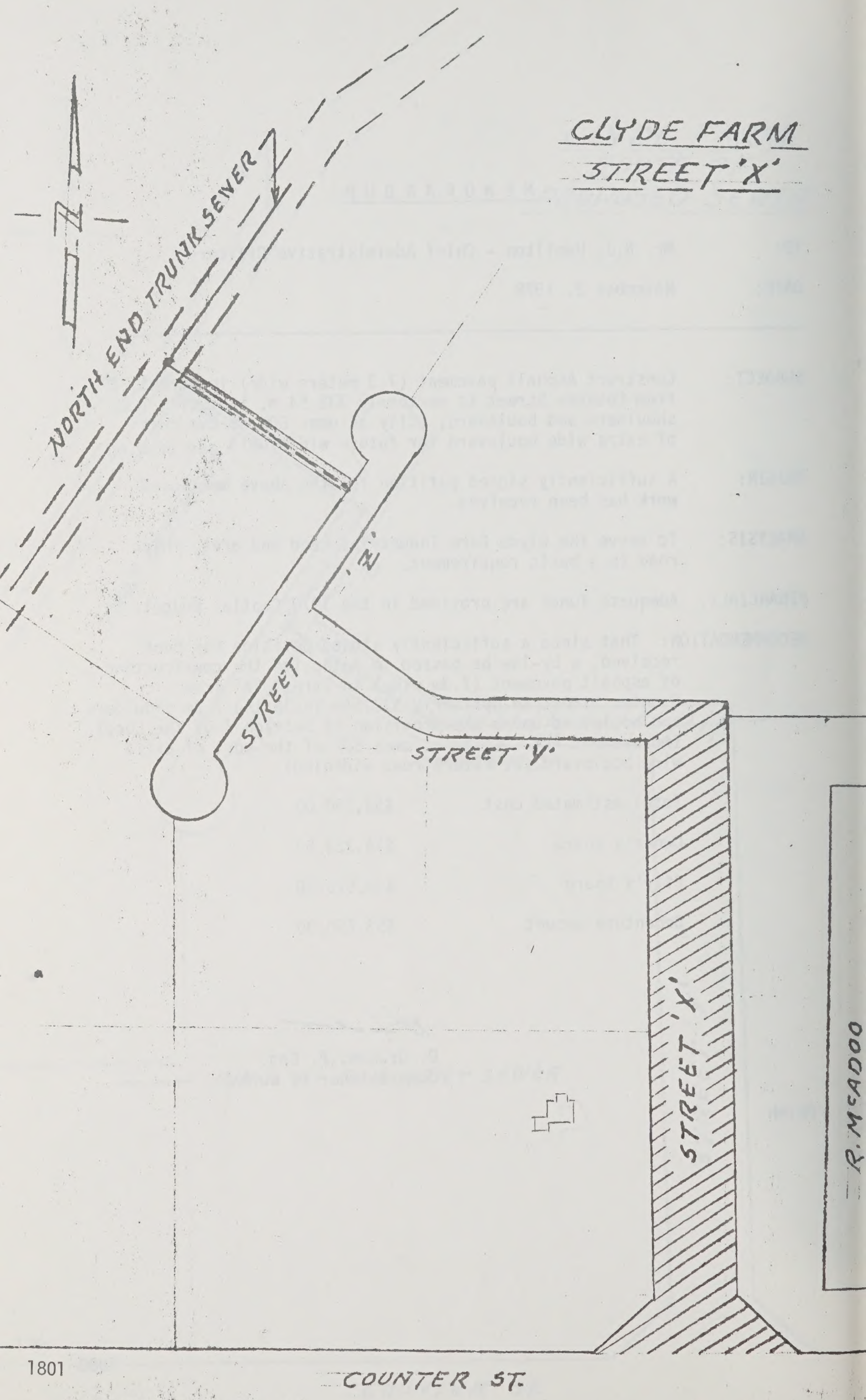
RECOMMENDATION: That since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of asphalt pavement (7.3m wide) in Street "X" from Counter Street to northerly 332.54m including 1.2m shoulders and boulevard under the provision of Section 7 of the Local Improvement Act. (City assumes 50% of the cost of extra wide boulevard for future road widening).

Total estimated cost	$53,250.00
Owner's share	$14,723.50
City's share	$38,526.50
Debenture amount	$53,250.00

D. Graham, P. Eng,
Commissioner of Works

DG:hh

Schedule "G" to Report No. 112
(Page 2)


CLYDE FARM
STREET 'X'
NORTH END TRUNK SEWER
STREET 'Z'
STREET
STREET 'Y'
STREET 'X'
R. McADOO
COUNTER ST.

Schedule "H" to Report No. 112
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

November 7, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: AIRPORT - ACCOUNT - D. & M. AIRCRAFT MAINTENANCE LTD. - RADIO TRANSCEIVER EQUIPMENT

We are forwarding herewith a report from Mr. W.D. Stevens, regarding the purchase of equipment in the amount of $880.76 to be used on the Michigan Loader at the Airport. This account was properly budgeted for in 1979 in the amount of $900.00. Mr. Stevens indicated that we have already acquired other units for existing equipment at the Airport and as such we are required to install this unit in the Michigan Loader as per regulations.

We therefore recommend Council authorize the payment of this account.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "H" to Report No. 112
(Page 2)

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: November 7, 1979

SUBJECT: AIRPORT - Account - D & M Aircraft Maintenance
- Radio Transceiver Equipmen

ORIGIN: Airport regulations require that ground vehicl operating on airport runways and other areas designated for taxiways and aircraft manoeuvri be equipped with a two-way radio (transceiver)

ANALYSIS: The airport service truck, snow plow and snowblower are each equipped with a Radair 10 transceiver. It is desirable that all units on the field be of the same make to facilitate interchangeability in case of equipment failur This unit is assigned to the Michigan Loader.

FINANCIAL CONSIDERATIONS: The cost of this equipment is $10.00 more than the three existing units and is well within the Airport budget appropriation for this item

RECOMMENDATION: That the account of D & M Aircraft Maintenance Ltd. in the amount of $880.76 for the supply of one Radair 10B transceiver and crystals to be used in the Michigan Loader at the airport, be paid.

Respectfully submitted,

W. D. Stevens

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 1-2.1-1

November 7, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: ACCOUNTS - ROOF REPAIR - HANGARS 3 and 4 - AIRPORT

We are forwarding herewith a memorandum from Mr. W.D. Stevens concerning repairs to Hangar 3 and Hangar 4, undertaken by Quintal & England Ltd. in the amount of $1,316.52. Council will take note that these repairs are covered by a Lease between Kingston Tennis World and the City of Kingston which requires action on behalf of the City whenever leaks occur.

We therefore would recommend that Council authorize the payment of this account. This matter was reviewed with Mr. Cousens, City Treasurer and he agrees that we should accept payment of same at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer

FROM: W. D. Stevens, Commissioner of Industries
and Airport Administrator

DATE: November 6, 1979

SUBJECT: Accounts - Quintal & England Ltd.
- Roof Repair Hangars No. 3 and 4
- Our File No. A-4

ORIGIN

Leaks in the roofs of Hangars No. 3 and 4 during the month of September, 1979 and subsequent rainfall.

ANALYSIS

Clause 3(a) of the lease agreement between Pesmo Limited (Kingston Tennis World) and the Corporation of the City of Kingston require the Corporation to effect roof repair within 72 hours, weather permitting, of being notified by Kingston Tennis World of a roof leak.

Three local roofing contractors were contacted with respect to the leaking roofs, and Quintal and England Ltd. was the only company to respon within the time limit available. This emergenc work is considered remedial.

ALTERNATIVE

An annual roof maintenance program was consider by Council at a meeting held August 27, 1979. It was concluded that no contract be placed and that we continue on a remedial repair basis for this year.

EXISTING POLICY

Repair of Hangar No. 3 roof is arranged immedia upon notification of a leak, in accordance with the above noted lease agreement and to minimize accrued costs of court down-time and damage to roof insulation and ceiling materials.

FINANCIAL CONSIDERATIONS

If repairs to the roof are not effected promptl in accordance with the lease agreement, the Cit is required to compensate the Lessee for all lost court time and resulting damage.

Funds have been appropriated in the 1979 Airpor budget for roof maintenance.

RECOMMENDATIONS

That the accounts of Quintal & England Ltd. in the amount of $760.04 for roof repair work on Hangar No. 3 (Kingston Tennis World) and $556.48 for roof repair on Hangar No. 4, be paid;

And further

That a program for annual hangar roof maintenance be provided for in the 1980 Airport budget.

Respectfully submitted,

W. David Stevens, A.M.E.I.C.
Commissioner of Industries
and Airport Administrator

WDS/c

Schedule "J" to Report No. 112
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARI
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-2.1

November 7, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: ENERGY STUDY PROPOSAL - OLYMPIC SITE

We are forwarding herewith a memorandum from Mr. D. Fluhrer concerning proposed energy savings relati to the Olympic Harbour site.

Council will recall that we introduced this subject on September 10th for discussion and the action approved by Council was as follows:

(1) We ask Mr. Tremblay to look at the speci Xerox problem in the building at once.

(2) Mr. Tremblay was to be requested to subm a firm proposal on an energy conservation program at th Olympic site building.

It was our understanding that Mr. Tremblay wo review the documents regarding the building and would in turn submit an estimate of the cost to develop an Energy Saving program for Council's future consideration.

Mr. Tremblay has completed his program and th following results are set out by Mr. Fluhrer for Council consideration at this time. It is expected that we as a City, would realize immediate savings on energy consumpt however, it is further pointed out by Mr. Tremblay that would be required to invest some $4,000. plus a further amount of $4,000. for his Engineering services. It is expected that this will be more than offset by the immed savings in fuel and energy.

...2/

Schedule "J" to Report No. 112
(Page 2)

- -

It is noted that we have not budgeted for this matter in 1979, however, since we expect to save sufficient funds through less energy consumption, we should commence this activity at once since we are heading into the winter season.

Mr. Fluhrer points out that if we prefer not to charge this to contingencies we should set it out as a 1980 budget item. It is interesting to note that Mr. Fluhrer is requesting that Mr. Tremblay be engaged to develop a long range proposal which would probably involve higher capital costs and additionally a longer recovery of revenue, perhaps above and beyond which is stated above.

We therefore would recommend that Council adopt the report as suggested by Mr. Fluhrer at this time.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: November 5, 1979.

SUBJECT: ENERGY STUDY PROPOSAL - OLYMPIC SITE
L. J. TREMBLAY ENGINEERING LIMITED

ORIGIN: Energy costs at the Olympic Site are extremely h by comparison with other City operated facilitie This places a high cost to the operating side of the budget, thus weakening goals to operate the site at break-even and/or profit. In a search for an independent professional opinion about th Xerox section of the building, which has a heat deficiency, we engaged the services of L. J. Tre Engineering Limited.

This porposal, as attached, is apart from the services we are paying him to do at the Xerox o and is done on his own as a proposal to Council and for their consideration.

ANALYSIS: Our 1979 utility costs, at the Olympic Site, wi be in the order of $63,000. - $65,000. Public Utilities Commission have announced a 16% incre for 1980 and, therefore, this will add $9,000. $10,000. to 1980 operating costs.

If the proposals and estimates of savings are a stated in Mr. Tremblay's report, we could offse the rising costs plus save about another $3,000 $4,000. in 1980. This, in turn, would help off the costs contained in the proposal; for exampl $4,000. retrofit measures and $4,000. plus fees travelling.

ALTERNATIVE: Continue as is and put up with increasing opera cost challenges.

FINANCIAL CONSIDERATIONS: For a capital investment of some $4,000.00 in retrofit and $4,000.00 in engineering fees (upset limit), the City can expect to reduce its energy cost for this building by 23% or $13,000.00 per annum in 1979 dollars. It is worth noting that given a hydro increase of 16% for 1980, the above savings increase to about $15,000.

RECOMMENDATION: It is recommended that the services as outline be accepted and that funds be transferred from contingencies to proceed with the recommended procedures and changes. Failing this, include in the 1980 Budget.

....Con

(Cont'd.)

RECOMMENDATION: Further, it is recommended that Mr. Tremblay be engaged to develop a #2 longer range proposal that would involve higher capital costs and longer recovery of revenue. This would involve technical advice on insulation, etc. While the recovery period is longer, it will be very meaningful over the next 5 - 10 years.

ouglas R. Fluhrer,
ommissioner.

RF/sw
ttach.

THE FIRM OF L.J. TREMBLAY ENGINEERING LIMITED PROPOSES TO CONDUCT AN IN-DEPTH ENERGY CONSERVATION PROGRAM AT THE PORTSMOUTH OLYMPIC HARBOUR. THE PROPOSED PROGRAM WOULD CONTAIN THE FOLLOWING THREE PHASES:

1- REPORT AND RECOMMENDATIONS
THE REPORT WOULD CONTAIN A COMPLETE ANALYSIS OF THE ENERGY CONSUMPTION PATTERNS, SYSTEMS AND OPERATIONS. THE RECOMMENDATIONS WOULD BE IN THE FORM OF PROPOSED RETROFIT MEASURES. INCLUDED IN EACH RETROFIT MEASURE WOULD BE THE COST BENEFITS OF CHANGES. ALL THE RETROFIT MEASURES WOULD BE LISTED IN ORDER OF INCREASING PAY-BACK PERIODS.

2- IMPLEMENTATION
UPON ACCEPTANCE OF THE RECOMMENDATIONS BY CITY OFFICIALS, EXACT SPECIFICATIONS WOULD BE PREPARED, AND QUOTATIONS WOULD BE OBTAINED. THE INSTALLATION OF THE RETROFIT CHANGES WOULD BE SUPERVISED AND DETAILED OPERATING INSTRUCTIONS WOULD ALSO BE WRITTEN.

3- FOLLOW-UP
THE PERFORMANCE OF THE TOTAL ENERGY SYSTEMS WOULD BE MONITORED FOR THE PERIOD OF ONE YEAR FOLLOWING THE COMPLETION OF THE RETROFIT CHANGES. THE TRACKING SYSTEMS WOULD THEN BE PASSED ON TO THE OWNER FOR ON-GOING MONITORING.

BASED ON AN ANALYSIS OF THE BUILDING AND ITS SYSTEMS IT IS ESTIMATED THAT THIS PROGRAM WOULD LEAD INITIALLY TO AN ENERGY COST AVOIDANCE TO THE CITY OF SOME $13,000 PER ANNUM. THIS IS A DECREASE OF 23% IN 1979 DOLLARS. THE COST OF RETROFIT WOULD BE APPROXIMATELY $4000.00.

THE COMPLETION TIME FOR THIS PROJECT WOULD BE ABOUT ONE MONTH FROM THE DATE OF APPROVAL OF THIS PROPOSAL.

THE FEES TO UNDERTAKE THIS PROJECT WOULD BE CALCULATED ON AN HOURLY BASIS ACCORDING TO THE CURRENT APEO FEE SCHEDULE TO AN UPSET LIMIT OF $4000.00 PLUS TRAVEL EXPENSES.

RESPECTFULLY SUBMITTED:

L.J. TREMBLAY ENGINEERING LIMITE

PER: Tremblay

LJT/st

Schedule "J" to Report No. 112
(Page 6)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 3-7

September 6, 1979

MEMORANDUM

TO: Mayor Keyes and Members of Council

FROM: R.J. Hamilton,
C.A.O.

RE: ENERGY CONSERVATION - OLYMPIC SITE

We are forwarding herewith copies of correspondence we have had with Mr. L.J. Tremblay concerning the possible energy conservation at the Olympic Harbout site.

Council will note that Mr. Tremblay is going to submit a firm proposal on an energy conservation program at the Olympic site building. It is our understanding that Mr. Tremblay will review the documents related to the building and will in turn submit an assessment of the cost for Council's consideration at a later date.

We will be reporting back to Council on this matter as soon as we have heard from Mr. Tremblay with a recommendation for possible Council action.

In Mr. Fluhrer's memorandum, he is requesting that we ask Mr. Tremblay to look at this problem at once and we would therefore recommend that Council authorize us to engage Mr. Tremblay to look at this problem and come up with a solution if possible immediately.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "J" to Report No.112
(Page 7)

SEP 6 1979

DEPARTMENT
OF
PARKS AND RECREATION

MEMORANDUM

TO: R. J. Hamilton, C.A.O.

FROM: Douglas R. Fluhrer, Commissioner.

DATE: September 4, 1979.

RE: ENERGY CONSERVATION

Further to our meeting last Thursday with Mr. Louis Tremblay, I have now talked with Mr. Lee Shipp with regard to the Olympic Site and in particular the isolated problem we are having with the Xero section of the building and as this relates to the heating due to severe temperatures.

Bearing in mind that this building is costing us well over $1.10 per sq. ft. per annum for energy, which is breaking the back of our intent of offsetting the revenues for this site, I make the following suggestions:

a) That we immediately engage the services of Mr. Tremblay to help us to resolve the Xerox problem and that he be asked to begin this as soon as possible as the cold weather is fast approaching. What we would like from him is, when analyzing the revamping of the existing heating system that Xerox did during the time of their renovations, to determine if this in fact was the cause of the lack of heat and/or what is causing the problem and specific recommendations for resolve.

b) I would further recommend, and as per our discussion with Mr. Tremblay, that he be asked to prepare a cost saving proposal for Council's consideration for the entire Olympic Harbour Site buildings. Our Messrs. Leeman and Preston will provide him with necessary plans, specifications and energy consumption.

I am most confident that there is much room for improvement and hence, savings at the site. However, I am presently more concerned that we resolve the Xerox problem as they are cherished tenants at the site.

Douglas R. Fluhrer,
Commissioner.

DRF/sw

c.c. Norm Jackson
Lee Shipp

File 3-7

L. J. Tremblay Engineering Limited,
1620 Joyce Street,
Cornwall, Ontario,
K6J 1Y7
(613) 938-9477

SEP 5 1979

September 4, 1979

Mr. Robert Hamilton
Chief Administrative Officer
Corporation City of Kingston
City Hall
Kingston, Ontario
K7L 2Z3

Dear Bob:

Just a note to tell you how pleased I was to see you again last week, and to thank you for the time that you and Doug accorded me.

I am extremely pleased to be given an opportunity to submit a firm proposal on an Energy Conservation Program at the Olympic site building. From the little knowledge that I have of the building and its energy consumption at the moment, I am convinced that you will be pleased by the economics of conducting such a program.

I have written to Doug asking for the documents that I will need in order to prepare the proposal, and I expect to be in a position to submit the proposal to Doug the week following receipt of the documents.

Again Bob it was a pleasure seeing you, and I very much look forward to the possibility of working with you and your staff.

Yours sincerely,

L.J. Tremblay, P. Eng.

LJT/st

Schedule "K" to Report No. 112
(Page 1)

THIS INDENTURE made (in duplicate) the

31st day of October, 1979.

BETWEEN:

WALLACE S. MURRAY, of the City of Kingston, in the Count
of Frontenac,

Hereinafter called the ASSIGNOR,

OF THE FIRST P

-and-

HARROWSMITH SECURITIES LIMITED, a Company incorporated
under the laws of the Province of Ontario having its
Head Office at the City of Kingston, in the County of
Frontenac,

Hereinafter called the ASSIGNEE,

OF THE SECOND

-and-

THE CORPORATION OF THE CITY OF KINGSTON,

Hereinafter called the PARTY,

OF THE THIRD P

WHEREBY by a lease dated the 23rd day of June, 1975 and mad between The Corporation of the City of Kingston as Lessor and Ben Bristol, as Lessee, the said Lessor did demise unto the said Less the lands and premises therein and hereinafter described to hold for the term of five years, at the yearly rent of FIVE HUNDRED DOLLARS ($500.00) and subject to the Lessee's covenants and agreements in the said Lease.

AND WHEREAS by an Assignment of Lease dated the 11th day of May, 1978 and registered in the Registry Office for the Registry Division of Frontenac No. 13 as Instrument No. 309749 made between Benson Bristol, as Assignor and Wallace S. Murray, as Assignee, t said Benson Bristol, Assignor, did demise unto the said Assignee the lands and premises therein and hereinafter described.

AND WHEREAS the Assignor herein has agreed to sell and assi the said lease unto the Assignee herein.

NOW THIS INDENTURE WITNESSETH that in consideration of othe good and valuable consideration and ONE ($1.00) DOLLAR now paid b the Assignee to the Assignor (the receipt whereof is hereby acknowledged) the Assignor does hereby grant and assign unto the Assignee all that certain parcel or tract of land and premises situate, lying and being in the Township of Pittsburgh, in the County of Frontenac, being composed of Lot 5, according to Registered Plan 525 together with the residue unexpired of the term of years in the said lease mentioned, and the said lease and all benefit and advantage to be drived therefrom.

TO HAVE AND TO HOLD the same unto the Assignee, his heirs, executors, administrators and assigns, subject to the payment of the rent and the observance and performance of the lessees covenants and conditions in the said lease.

AND the Assignor hereby covenants with the Assignee that, notwithstanding any act of the Assignor, the said lease is a good, valid and subsisting lease, and that the rents thereby reserved have been duly paid up to the 30th day of June, 1980, and the covenants and conditions therein contained have been duly paid and performed by the Assignor up to the day of the date hereof.

AND that notwithstanding as aforesaid the Assignor now has in his good right, full power and absolute authority to assign the said lands and lease in manner aforesaid, according to the true intent and meaning of this indenture.

AND that, subject to the said rent, and the lessees covenants and the conditions in the said lease, the Assignee may enter into and upon and peaceably hold and enjoy the said lands and premises for the residue of the term granted by the said lease and every renewal thereof (if any) for his own use and benefit, without any interruption of the Assignor or any other person whomsoever claiming or to claim, by through or under him.

AND that the Assignor shall and will from time to time, and at all times hereafter, at the request and costs of the Assignee, execute such further assurance of the said lands and premises as the Assignee shall reasonably require.

AND the Assignee covenants with the Assignor that the Assignee shall and will from time to time during all the residue of the term

Schedule "K" to Report No. 112
(Page 3)

granted by the said lease, and every renewal thereof, pay the ren and perform the lessees covenants, conditions and agreements ther reserved, and indemnify and save harmless the Assignor therefrom and from all actions, suits, costs, losses, charges, damages and expenses for or in respect thereof.

AND THE party of the third part hereby consents to this assignment of lease and, furthermore, grants to the Assignee an option for an eight (8) year extension of the lease with the rent to be based on an opinion of value obtained by the party of the third part from an accredited appraiser.

AND it is hereby declared and agreed that this indenture and everything herein shall respectively enure to the benefit of be binding upon the parties hereto, their heirs, executors, administrators and assigns respectively.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals.

SIGNED, SEALED AND DELIVERED)
in the presence of)

Wallace S. Murray
WALLACE S. MURRAY

HARROWSMITH SECURITIES LIMITED
Per:

THE CORPORATION OF THE CITY OF
KINGSTON,
Per:

Schedule "K" to Report No. 112
(Page 4)

Clause 9 of Report No. 65

June 11th, 1979

That the following policy be approved for the lease of City owned land at the Sewage Treatment Plant Site in the Township of Pittsburgh for the renewal of present leases or the entering into of new leases:

a) 5 year leases will be applied to the following lots subject to review and possibly further extension after the 5 years at the following rental rates:

Lot No.	Frontage in Feet	5 year Lease per Annum
1	120	$670.
2	80	445.
3	85	475.
4	80	445.
5	140	780.

b) 5 year leases will be applied to the following lots, with provision for a 1 year notice to vacate, at the following rental rates:

Lot No.	Frontage in Feet	5 year Lease per Annum
6	125	$437.
7	100	350.
8 & Pt.9	125	437.

c) The rental rate on all leases shall be adjusted annually by the same percentage change as in the Consumer Price Index of Statistics Canada.

Schedule "L" to Report No. 112
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: November 8th, 1979.

SUBJECT Bus Stop and Bus Stop Shelter Relocation - Portsmouth Avenue

ORIGIN Request from the Public Utilities Commission to relocate a bus stop and a bus stop shelter on Portsmouth Avenue at Princess Street (Aunt Lucy's). Plan and letter attached.

ANALYSIS

1) At the present time a bus stop for the Strathcona bus is located on the west side of Portsmouth Ave. at Princess St. The Strathcona bus proceeds southbound on Portsmouth Avenue then turns left to proceed eastbound on Princess Street..

2) Due to the addition of a separate left turn lane on Portsmouth Avenue, the bus stop should be relocated farther back from the intersection in order to permit sufficient maneuveuring area for the bus to leave the curb lane, cross the straight-through lane and enter the separate left turn lane. Making a left turn from the new right turn lane on Portsmouth Avenue at Princess Street would not only be very hazardous but also contrary to The Highway Traffic Act.

3) Due to the widening necessitated by the addition of a right turn lane and left turn lane on the southbound approach of Portsmouth Ave. to Princess St., there is insufficient street allowance to permit the installation of a bus shelter plus a storage area for snow. The location of the bus stop and shelter north of the turning lanes is at a location where there is sufficient boulevard to install a bus shelter.

RECOMMENDATION That a by-law be presented to Council to amend Section 10(b) (Bus Stops) of By-law 24 (Traffic) as follows:

Delete:	Area
Portsmouth Ave.(W/S) at Princess Street	80 feet from Princess St. northerly (By-law 4865-196
Add:	
Portsmouth Ave. (W/S) opposite Hampstead Heath	60 feet

K. G. Linseman

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

:lk

Schedule "L" to Report No. 112
(Page 2)

COPY TO: Mr. K. Linseman, Administrator
Traffic, Streets and Parking Department

P.U.C.
a hydro utility
KINGSTON

PUBLIC UTILITIES COMMISSION
OF THE CITY OF KINGSTON
PHONE 546-1181

ELECTRIC GAS WATER AND TRANSIT SERVICES

FEE, P ENG., GENERAL MANAGER
WIE, C.A., SECRETARY-TREASURER

COUNTER STREET
AT LAPPAN'S LANE
P.O. BOX 790
KINGSTON, ONTARIO
K7L 4X7

1979 11 02

Mr. R. Hamilton
Chief Administrative Officer
City Hall
Kingston, Ontario
K7L 2Z3

Dear Mr. Hamilton:

Re: Bus Stop Relocation

At the Regular Meeting of the Commission on 1979 11 01, the Commission approved the change in location of a Bus Stop and Bus Stop Shelter on Portsmouth Avenue at Princess Street (Aunt Lucy's).

The enclosed drawing (2 copies) and the report from the Engineering Department shows the new location.

The Commission passed a Resolution requesting City Council to amend By-Law No. 24 (Traffic By-Law) by deleting from Section (10B) (Bus Stops) the following:

Street or Intersection	Area
Portsmouth (W/S) at Princess Street	80 feet from Princess northerly (By-Law No. 4865-1965)

and add to Section (10B) (Bus Stops) the following:

Street or Intersection	Area
Portsmouth (W/S) opposite Hamstead Heath	60 feet

Early approval for this stop would be appreciated to enable us to have it become effective as soon as possible.

Yours faithfully,

A. Bowie
Secretary Treasurer

:jm
Enclosures (2)

Copy to: Mr. K. Linseman
Administrator
Traffic, Streets and Parking Department

File No. 80-20-277

1979 10 31

MEMO TO: Mr. J. K. Fee, General Manager

FROM: Mr. W. J. Fisher, Operations Manager

RE: BUS STOP AND BUS STOP SHELTER RELOCATION ON PORTSMOUTH AVENUE AT PRINCESS STREET (Aunt Lucy's)

Due to road construction and pavement widening on Portsmouth Avenue at Princess Street it will be necessary to relocate the Bus Stop Shelter at this location, and it is suggested that the Commission pass a Resolution to request City Council to amend By-Law 24 (Traffic By-Law) by deleting from section (10B) (Bus Stops) the following:

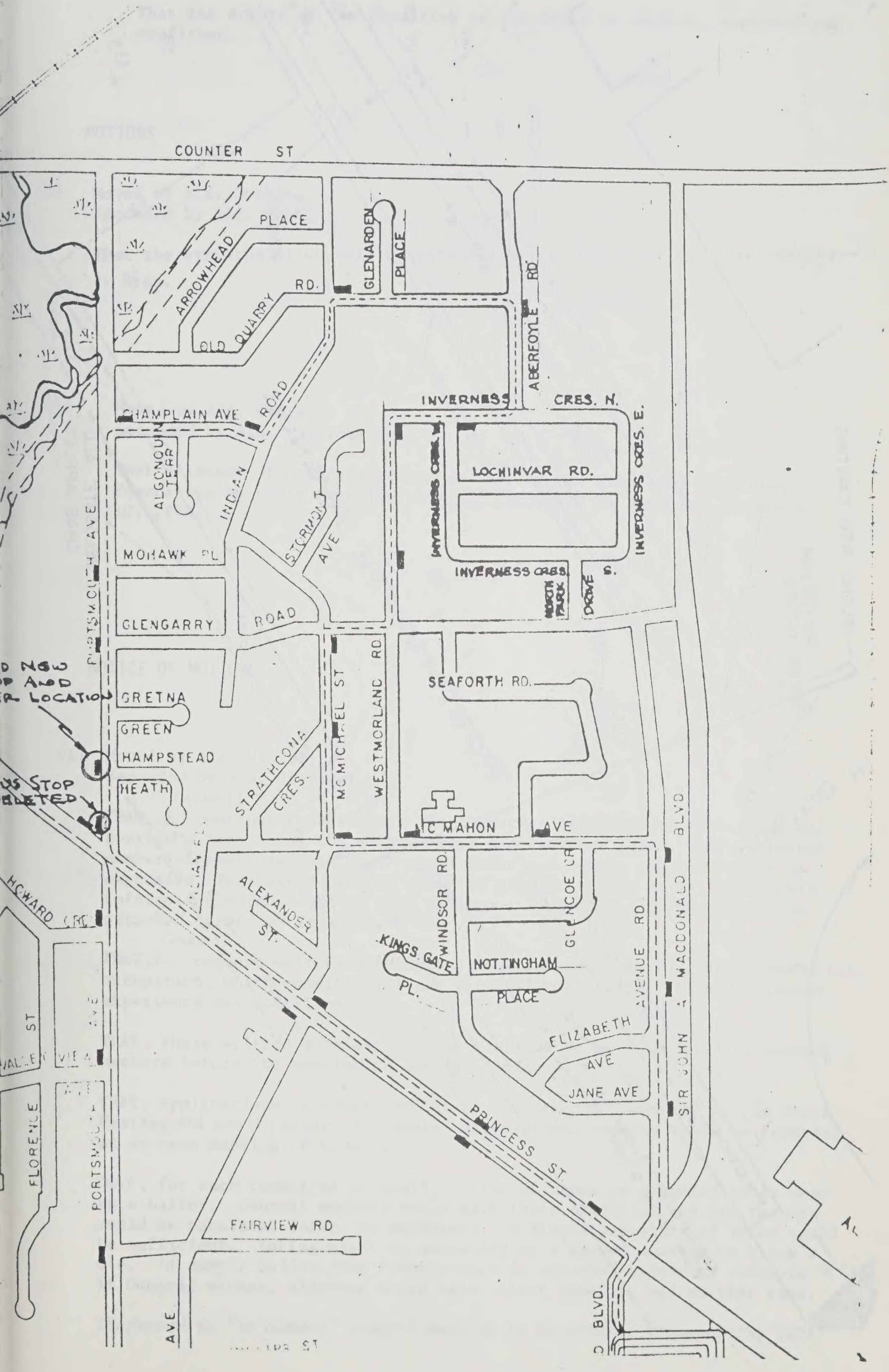
Street or Intersection	Area
Portsmouth (W/S) at Princess Street.	80 feet from Princess northerly (By-Law No.4865-1965)

and add to Section (10B) (Bus Stops) the following:

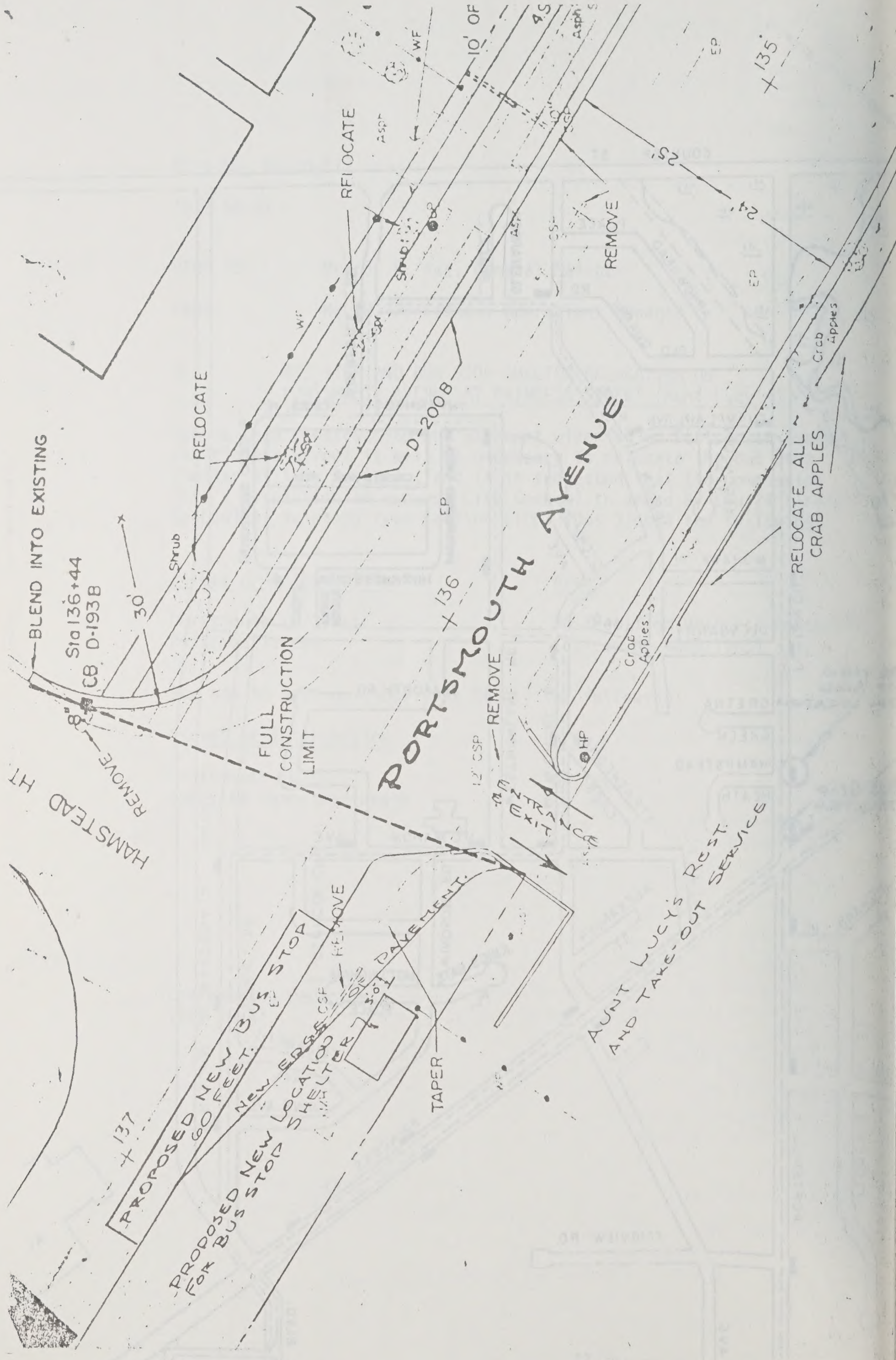
Street or Intersection	Area
Portsmouth (W/S) opposite Hampstead Heath	60 feet

Engineering Department
1979 10 31

Schedule"L" to Report No. 112
(Page4)


COUNTER ST
PLACE
ARROWHEAD
RD.
OLD QUARRY
GLENARDEN
PLACE
ABERFOYLE RD
INVERNESS
CRES. N.
CHAMPLAIN AVE
ROAD
INDIAN
ALGONQUIN TERR
STORMONT AVE
INVERNESS CRES. W.
LOCHINVAR RD.
INVERNESS CRES. E.
INVERNESS CRES. S.
NORTH PARK
DROVE
MOHAWK PL
GLENGARRY ROAD
PORTSMOUTH AVE
D NEW
P AND
R LOCATION
US STOP
ELETED
GRETNA
GREEN
HAMPSTEAD
HEATH
STRATHCONA CRES
MCMICHAEL ST
WESTMORLAND RD
SEAFORTH RD.
MC MAHON AVE
BLVD
HOWARD CRE
WINDSOR RD.
GLENCOE CR
ALEXANDER ST
KINGS GATE PL.
NOTTINGHAM PLACE
AVENUE RD
SIR JOHN A. MACDONALD
ELIZABETH AVE
JANE AVE
PRINCESS ST.
ST
VALLEY
VIEW AVE
FLORENCE
PORTSMOUTH AVE
FAIRVIEW RD
AVE
D BLVD.
ST

Schedule "L" to Report No. 112
(Page 5)


BLEND INTO EXISTING
Sta 136+44
CB. D-193B
30'
8"
REMOVE
HAMSTEAD HT
Shrub
RELOCATE
WF
RELOCATE
10' OF
45
Asp
D-2008
EP
FULL CONSTRUCTION LIMIT
PORTSMOUTH AVENUE
+ 136
REMOVE
12' CSP
ENTRANCE EXIT
HP
Crab Apples
REMOVE
CSP
25'
24'
EP
+ 135
Crab Apples
RELOCATE ALL CRAB APPLES
AUNT LUCY'S REST. AND TAKE-OUT SERVICE
TAPER
NEW EDGE OF PAVEMENT
REMOVE
PROPOSED NEW LOCATION FOR BUS STOP SHELTER
PROPOSED NEW BUS STOP 60 FEET
+ 137

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Webb,
Seconded by Ald. Bishop,

That the Report of the Committee of the Whole be adopted,.approved and confirmed.

CARRIED

MOTIONS

(1) Moved by Ald. Gorham,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late Charles J. Ryan.

CARRIED

(2) Moved by Ald. Clark,
Seconded by Ald. Lampropoulos,

That a letter of congratulations be sent to the Frontenac Historical Foundation on their excellent seminar presented on Saturday, November 10, 1979.

CARRIED

NOTICE OF MOTIONS

(1) Moved by Ald. Miller,
Seconded by Ald. Clements,

THAT, Council continue to advertise for committee appointments. The ad should contain a note about the work of each committee or Board, and estimated number of meetings with their usual dates and times. If this seems too expensive, interested persons could be asked to phone or write for this information which could be sent to them. *(A sample add from Sarnia is attached hereto as Schedule "M").*

THAT, Council request written submissions to note name, address, phone number(s), occupation, which committee(s) the person is interested in, and relevant experience and qualifications.

THAT, these written submissions will continue to be circulated to Council members before the meeting to appoint citizens,

THAT, applications be considered at an "In Camera" Committee of the Whole Meeting and aswith other "In Camera" discussions, results would be reported at an open meeting of Council.

THAT, for each committee or board, a list of names be prepared to be used as a ballot. Council members would mark their choice(s) and the results could be tabulated later, if necessary. A simple plurality of votes would be sufficient. Voting might be necessary at a second meeting to break a tie. *(A sample ballot from Peterborough is attached hereto as Schedule "N").* If Council wishes, aldermen could raise other names to add at that time.

(Referred to "In Camera" Council Meeting to be held on November 19, 1979)

NOTICE OF MOTIONS (Cont'd)

(2) Moved by Ald. Knapp,
Seconded by Ald. Gerretsen,

THAT, whereas the City of Kingston is becoming known for its many and varie research facilities,

AND, whereas "Research" is a high technology industry which would provide employment opportunities for graduates of our local university and communit colleges,

AND, whereas large numbers of established research facilities would, in tur encourage the location of secondary separate industry and, as such, would provide additional job opportunities,

AND, whereas the existing research facilities in the area include those of public, educational, industrial and private sectors,

THEREFORE,be it resolved that Kingston be proclaimed "Canada's Research Centre",

AND, further that notice of this proclamation be forwarded to our Federal and Provincial Government representatives with the request that they take advantage of every opportunity to permit the area as being research oriente

AND, further that all appropriate departments and groups involved with external promotion of this City include a statement reflecting the intent of the proclamation in their promotion literature.

(REFERRED TO THE INDUSTRIAL COMMISSIONER, CITY SOLICITOR AND AREA ECONOMIC DEVELOPMENT COMMISSIONER)

(3) Moved by Ald. Knapp,
Seconded by Ald. Gerretsen,

THAT, whereas the City will be tendering shortly for stationery supplies,

AND, whereas the move to metrication will require that all supplies be ordered in metric units,

AND, whereas the opportunity exists to standardize these metric sizes,

AND, whereas the current accepted standard is the "A" format,

AND, whereas the "A" format is such that folding in half results in a size whose length to width ratio remains the same,

AND, whereas this capability facilitates the reduction and copying of large drawings, e.g. maps,

AND, whereas the "A" format, and specifically the "A-4" format, is a size very close to the 8½x11 letter size,

AND, whereas it would be convenient to receive on file all documents of one format size,

THEREFORE, be it resolved that commencing in January, 1980, or sooner if supplies are available, all documentation by the City be done using the "A" format.

(REFERRED TO DIRECTOR OF PURCHASING)

SCHEDULE "M"

1980 CITY COUNCIL

APPOINTMENTS TO BOARDS AND COMMITTEES

In November of 1979, it is expected that Sarnia City Council will appoint citizen members to its Boards, Commissions and Committees. Any person interested in serving the community as a Council appointee should file an application with the City Clerk prior to October 19th, 1979.

The following are organizations on which Council appointees are required, it being noted that not all are Council organizations and there are a number of members on some committees whose terms would not normally expire this year.

Board of Directors, Youth Services of Lambton County Inc. (Huron House)

Children's Aid Society

Committee of Adjustment

Committee of Parks and Recreation

Lambton County Historical Society

Parking and Traffic Committee

Public Library Board

Sarnia and District Visitor and Convention Bureau

Sarnia General Hospital Commission

Sarnia/Lambton Tourist Council

Sarnia Minor Athletic Association (Board of Directors)

Sarnia Planning Board

Sarnia Suburban Roads Commission

Applications should include name, address, telephone numbers (home and office), occupation, appointment for which best suited, qualifications and experience. Upon telephone request, an application form will be mailed with list of meeting days, times and approximate number of appointments to be made to each committee. (Tel. - 332-0330, Locals 257 and 258)

G.A.M. Thomas
City Clerk
City Hall, Sarnia

SCHEDULE "N"

ETERBOROUGH RECREATION COMMITTEE			
rank Malloy	||||||	6	②
harles R. 'Bud' LaBranche (2nd choice)	||	2	
. Robert Prentice (2nd choice)	||||	4	④
illiam J. Barclay (2nd choice)	|	1	
ndrew E. Forbes (2nd choice)			
. I. (Nick) Evanoff (Alternate)	||	2	
ordon W. Smith			
ane Livingstone	|	1	
etty Peikert			
eter Millard	|||||	5	③
onty J. Caradonna			
ary Rawlings (2nd choice)	||	2	
onald A. Fuller	|	1	
ames Lamore			
dward H. Smith (2nd choice)	|	1	
d Freeman	|||	3	
. Rodger James (Alternate)	|	1	
onia Alberico Crook	||	2	
r. D. D. Curtis	|||||||||	9	①
ames D. McNabb	|||	3	
ohn S. Marsh			

BOARD OF PARK MANAGEMENT	
Stanley A. McBride	||||||||||
Ms. Peggy Leake	||||||||||
Kevin Asselin	|||||||||
Mrs. P. Ann Kempff	|||||||
L. Robert Prentice	
Ray Delahaye	
Andrew E. Forbes	|
Terrance V. O'Keefe	|||||
George McKeiver	|||
Frank Malloy (2nd choice)	
Meyer Levine (2nd choice)	
Wilma Galloway (2nd choice)	||
John Marsh (2nd choice)	
William J. Barclay (3rd choice)	
Roy E. Fitton (3rd choice)	
N. I. (Nick) Evanoff (Alternate)	
Gordon W. Smith (3rd choice)	
Marylyn A. Samson	
Detty Peikert (2nd choice)	
Monty J. Caradonna (2nd choice)	
Mary Rawlings	
James Lamore (2nd choice)	
Ronald A. Fuller (2nd choice)	|||
J. Rodger James (Alternate)	|
Judy Shaw	|

City Council: Alderman Roy Wood) 2 year term to December 1,

BYLAWS

Council consented to the addition of By-Law No. 10.

(A) Moved by Ald. Clark,
Seconded by Ald. Clements,

That By-Law Numbers 1 to 5 and 10 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Rule No. 35 of By-Law No. 1 be suspended for the purpose of giving By-Law Numbers 3 to 5 their Third Reading.

CARRIED

(C) Moved by Ald. Gerretsen,
Seconded by Ald. Knapp,

That By-Laws 3 to 9 be given their Third Reading.

CARRIED

* * *

(1) A By-Law to Authorize the Construction of a Sanitary Sewer and Services in the Easement in Street "Z" and in Street "Y", in the Clyde Farm from the North End Trunk Sewer to Street "X" (General Rate).

FIRST & SECOND READINGS Proposed No. 79-257
(Clause 6, Report No. 112)

(2) A By-Law to Authorize the Construction of an Asphalt Pavement in Street "X" from Counter Street to northerly 332.54m including 1.2m Shoulders and Boulevard Under the Provisions of Section 7 of the Local Improvement Act (Petition)

(FIRST AND SECOND READINGS) (PROPOSED NO. 79-258)
(Clause 7, Report No. 112).

(3) A By-Law to Amend By-Law No. 24, "A By-Law for Regulating Traffic in the Highways of the City of Kingston, Subject to the Provisions of The Highway Traffic Act. (Clause 14 , Report 112)

(THREE READINGS) (PROPOSED NO. 79-259)
(Clause 14 , Report No. 112).

(Note: NOT subject to approval of the Ministry of Transportation and Communications)

(4) A By-Law to Amend By-Law No. 21, "A By-Law Fixing the Rental to be Charged for Memorial Hall, Committee Rooms and Council Chamber". (Clauses 1, 2 and 3, Report No. 112).

(THREE READINGS) (PROPOSED NO. 79-260)
(Clauses 1, 2 and 3, Report No. 112).

(5) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on November 12th 1979.

(THREE READINGS) (PROPOSED NO. 79-261)
City Council Meeting No. 45, 1979.

BYLAWS (Cont'd)

(6) A By-Law to Authorize the Construction of a 200 mm Watermain in Cowdy Street from Thomas Street to Russell Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-205
Clause 8, Report No. 96, 1979

(7) A By-Law to Authorize the Reconstruction of Asphalt Pavement in Ontario Street from 3.66 m North of Clarence Street to Johnson Street (including a Temporary Ramp across Johnson Street as City's Share) under the Provisions of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-206
Clause 14, Report No. 96, 1979

(8) A By-Law to Authorize the Reconstruction of the Concrete Sidewalk 2.44 m Wide in (1) Ontario Street from Clarence Street to Johnson Street and in (2) Johnson Street, North Side, from Ontario Street Easterly 4.27 m under the provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-224
Clause 2, Report No. 100, 1979

(9) A By-Law to Authorize the Reconstruction of the Pavement 10.67 m Wide in Bagot Street from Johnson Street to Brock Street under the Provisions of Section 7 of The Local Improvement Act (Petition).

THIRD READING Proposed No. 79-225
Clause 3, Report No. 100, 1979

(10) A By-Law to Amend By-Law No. 79-162, "A By-Law to Authorize the Widening of the Intersection of Montreal Street and Stephen Street (General Rate)".

FIRST & SECOND READING Proposed No. 79-262
Clause 15, Report No. 112, 1979

* * *

UNFINISHED BUSINESS

Alderman Timmins advised that he would not be seeking the Chairmanship of Planning Board on the expiration of his present term.

Alderman McArthur praised the Hon. Flora MacDonald for her recent speeches concerning the Iranian situation. It would be a small price to pay if Iran were advised that Canada would not purchase any more oil. Canada should stand up for the United States and cry out against the American hostage incident in Iran.

Alderman Matthews agreed with the comments of Alderman McArthur.

UNFINISHED BUSINESS (Cont'd)

Alderman Matthews said with respect to the expansion of the parking lot on Macdonnell Street that when Lord & Conacher were considering erecting a building on the property, the agreement was to include the installation of a storm sewer from South Bartlett Street to Princess Street. In fairness, when the City purchases land on which a previous condition exists, the City should accept that condition. Very little drainage will flow into the catch basin. There are people in the area, especially one gentleman 70 years of age with an ill wife, who are concerned about the matter of drainage. It appears that the parking lot is draining to Macdonnell Street. Alderman Matthews said that he wished it could have been discussed before the matter was decided.

Alderman Matthews asked about responsibility for blasting. Are the owners responsible or does the City assume any responsibility in the current alleged blasting damage to property?

Mayor Keyes responded that City tender document contained a condition that the firm working for the City must have a qualified person to review its blasting program and provide an indication of the quantity of charges necessary, and that a survey be done by the contractor to determine this. The distance of the survey is determined by such qualified person. The City cannot control blasting done on private lands. The Municipal Act does not permit a municipality to pass by-laws prohibiting or controlling blasting. The City of Ottawa had a private act passed to control blasting, and the City should study the matter very carefully before considering this.

Alderman Hawkins said that at a meeting in August relating to the Industrial Park, a directive was issued to Planning Department and Building Inspection to review the existing facilities in the Industrial Park with a view to their becoming legal and conforming uses. A report was requested by November 1st which, to his knowledge, has not been submitted. Alderman Hawkins requested that action be taken in this regard.

Alderman Hawkins said that he concurred with the concern of Alderman Matthews regarding the matter of a storm sewer on Macdonnell Street. Lord & Conacher were to be subject to the installation of a storm sewer and the City should also accept that responsibility.

Alderman Gerretsen reminded members of Council that a special meeting would be held at the Rideaucrest Home for the Aged on November 13th regarding the Kitchen Study and members of Council were invited to attend. A tour of the Home would be included.

Alderman Gerretsen said that it was his pleasure to attend a seminar conducted by the Frontenac Historical Foundation, dealing with the downtown alive issue. The meeting was attended by a large segment of the community; representatives from the Downtown Core Committee, the downtown business community and the public at large. People responded very well to each other and offered positive recommendations. The guest speaker was the Mayor of Ithaca, N.Y., who gave a presentation on downtown preservation, which was very well received by everyone.

UNFINISHED BUSINESS (Cont'd)

Alderman Gerretsen asked what happens now that the public meetings have been held regarding the Minto and Chartwood presentations. It would appear that at least two members of Council have made their decisions. A decision of Council should be made quickly, and perhaps it would be helpful to have informal meetin with the developers to determine the flexibility offered.

Mayor Keyes said that the Technical people have been asked to review the two proposals and have until the end of the week to submit their comments on the effects on our services. Mayor Keyes recommended that a joint meeting be held next Tuesday evening, November 20th, to arrive at a general concensus from Planning Board, Downtown Core Committee and Council, and that a recommendation from that meeting be presented to Council.

Alderman Gerretsen said that the participants in the joint meeti should bear in mind one point which the Chairman of Heritage Ca stressed, that is, that an attitude of compromise is vital in all discussions.

Alderman Gorham said that many questions must be answered prior to a decision by him and he would like to review the whole conce further.

Mayor Keyes said that one of the requirements of a Provincial loan is that the facility become owned by the City. If there are any questions, the developer can be asked verbally then follow up in writing.

Alderman Clark said that the Frontenac Historical Foundation made a positive contribution during their seminar conducted las Saturday.

In response to a question by Alderman Clark regarding public participation in the upcoming meeting to be held on November 21st, 1979 by Planning Board and Council re "A" Zone and High Density, Alderman Timmins said that no deputations would be received, although the public was welcome to attend.

Alderman Lampropoulos said that he concurred with Alderman McArthur's earlier statement on the Hon. Flora Macdonald's commen with respect to the tyrannized people in Iran.

Alderman Webb said that he felt it was unwise for a member of Council to commit himself on the downtown revitalization proposals at this time. It simply removes pressure from the peopl who commit themselves and increases pressure on those who do not. In response to Alderman McArthur's and Alderman Lampropoulos's comments regarding the International situation, Alderman Webb said the penalty for not learning history is the tendency to repeat it. He was pleased to see the Premier of Ontario take a stand against Iranian oil.

Alderman Webb said that he had noticed a resurgence in the obse vation of Remembrance Day which was most pleasing to him, and he was proud to see the Mayor lay a wreath for the City during Remembrance Day ceremonies.

ADJOURNMENT

Moved by Ald. Clements,
Seconded by Ald. Bishop,

That Council do now adjourn.

CARRIED

Council adjourned at 10:33 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
DEC 5 1979

CITY COUNCIL MEETING NO. 46

The Regular Meeting of City Council will be held on Monday, November 19, 1979 commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 44 held on November 5, 1979 be confirmed.

COMMUNICATIONS

To be Filed

(660) From the Ministry of Housing forwarding a copy of their newest publication entitled "Official Plan Amendments - A Guide to Their Preparation". It is intended as a form and content guide for municipalities, planning boards and planning consultants in preparing official plan amendments.

File No. 16-1.1

To be Referred to the Committee of the Whole

(661) From National Defence Headquarters, Ottawa, informing the City of Kingston that the Department of National Defence will be conducting the annual National Defence College (NDC) Course at Fort Frontenac, Kingston, from September 2, 1980 until July 17, 1981 and asking if the City wishes to nominate a candidate to take the course).
(Note: Copies of above letter have been distributed to all members of Council)

File No. 6-2.4

To be Referred to the City of Kingston Planning Board

(662) Application for zone change from Mr. Bernard Breen, 100 Cliff Crescent, Kingston, requesting a zone change in Pt. Farm Lot 21, Concession 2, formerly Twp. of Kingston now in the City of Kingston, north side of Concession Street, opposite Ontario Government Liqour Store, from present zoning classification of C2 to permit construction of a commercial building.
The construction would begin approximately in the spring of 1980 and be completed in the fall of 1980.

File No. 25-2

COMMUNICATIONS (Cont'd)

To be Filed

63) From the Provincial Secretary of Social Development urging municipalities to pass by-laws pursuant to Section 352(77) of The Municipal Act, R.S.O. 1970, as amended, to license, regulate and govern boarding and lodging homes to ensure that residents of such homes have the assurance that their living conditions meet basic standards related to health, fire and safety. *(Note: By-Law No. 8109, "A By-Law to Provide for the Licensing, Regulating and Governing of Lodging Houses in the City of Kingston", was passed October 15, 1974)*

File No. 12-8.1

(664) From the Hon. Claude Bennett, Minister of Housing, approving the Redevelopment Area designation authorized by By-Law No. 9356 with respect to the expanded RRAP development area and notifying that a separate RRAP allocation has been allocated to the specially designated expanded RRAP development area.

File No. 8-3.17

(665) From the Ministry of Housing notifying that the Revised Metric Consolidation of the Official Plan of the City of Kingston Planning Area as adopted by Council by By-Law No. 79-202 has been approved by the Minister with modifications which were also approved by Council in R. 93 (3) 79.

File No. 16-1.1

To be Referred to the City Solicitor and to the Industrial Commissioner and Airport Administrator

(666) Copy of a letter from the Hon. Claude F. Bennett, Minister of Housing, to the O.M.B. referring portions of Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area to the Ontario Municipal Board, as requested by the City of Kingston. (R. 96 (4) 79).

File No. 16-1.2-1

Which has been Referred to the City Solicitor

(667) Copy of letter, dated October 31, 1979, from Mr. J.B. Sampson to the Ministry of Housing, Plans Administration Branch, submitting arguments for the approval of his 140 unit condominium project on the north west corner of Bath Road and Sir John A. Macdonald Boulevard and suggesting, if the plan is not approved, an application to the Municipal Board for an Order would appear to be an exercise in futility because both the City's Official Plan and Zoning By-Law confirms his application and therefore he would have no alternative but to ask the court for a *mandamus* for the issue of the Permit and would have to join the Ministry, inasmuch as the Minister's approval for the condominium project is needed.

File No. 3-12.4-1

COMMUNICATIONS (Cont'd)

To be Referred to the City Solicitor

(668) Copy of letter dated November 9, 1979, from the Plans Administration Branch of the Ministry of Housing to Mr. J.B. Sampson notifying that they have reviewed his application for approval a 140 unit condominium project on the north west corner of Bath Road and Sir John A. MacDonald Boulevard and are not recommending it for approval at this time because the City (in R. 99 (1) 79) considers that the proposed condominium plan does not conform to the Official Plan nor to the requirements of the City's Zoning By-Law regarding lot occupancy and rear yards.

File No. 3-12.4-1

To be Referred to the Planning Board

(668) From Mrs. Irene Mooney regarding the "spot zoning" for the following seven corner stores and stating that if the City Council approves the said amendment to By-Law No. 8499, she is registering an objection on the basis that all corner stores in the NIP area and in the City of Kingston, including her store located at 375 Division Street which is categorized as a non-conforming use, should be given the same consideration:

Blaney's Florist, 79 Raglan Road
Blaney's Limited, 210 Montreal Street
Cochrane's Grocery, 73 Bay Street
Norman Agency, 424 Bagot Street
Weston's Coiffure, 257/259 Queen Street
Pat's Grocery, 61/63 John Street
Frank's Italian Grocery, 330 Division Street.

File No. 25-2

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 113 of the City of Kingston Planning Board be received and adopted.

That Report No. 114 of the Grand Theatre Board be received and adopted.

That Report No. 115 of the Chief Administrative Officer be received and considered.

November 14, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That the following plans, submitted by Duyan Investments Limited, with respect to a retail commercial building at 386-388 Princess Street:

Dwg. #1 - Site Plan - Scale 1"=10' - Sept. 1979

Dwg. #2 - Floor Plans - Scale 3/16"=1'0"- Sept. 1979

Dwg. #3 - Elevations - Scale 3/16"=1'0" - Sept. 1979

be approved, subject to the owner entering into a Development Control agreement which shall include the following conditions:

a) *that development shall be in accordance with the above listed plans;*

b) *that prior to the issuance of the building permit, grading and servicing plans to the satisfaction of the Commissioner of Works shall be submitted;*

c) *that all parking areas and vehicular access routes shall be paved;*

d) *that the design and location of all exterior lighting shall be subject to approval by the City;*

e) *that any exterior air conditioning or mechanical units shall be located and screened in a manner which is satisfactory to the City;*

f) *that the approval of Council shall be required prior to any storm sewer connection to the Princess Street sewer;*

g) *that if any new water service becomes necessary it shall be at the owner's cost from the 16 inch diameter watermain in Princess Street;*

h) *that the electrical supply shall be 120/208 volt, three phase up to a maximum of 400 amperes; should a larger supply be required it shall be a primary 4160 volt service with a service entry switch not more than 4 feet from the front wall of the building, with the owner to provide concrete encased conduit any distance greater than 4 feet;*

i) *that the interior layout as shown on Dwg. #2 shall not be subject to the requirements of site plan control.*

j) *that no exterior storage of garbage shall take place unless it is within a permanent garbage storage area, the design and location of which shall be subject to approval by the City;*

k) *that a 4½ ft. masonry screening wall shall be placed along the easterly boundary of the site, the design of which shall be subject to City approval.*

2. That the City's share of unexpended funds in the Neighbourhood Improvement Program as at December 31st, 1979, be placed in reserve.

3. WHEREAS the Neighbourhood Improvement Program Implementation Agreement of September 1, 1978, with the Province of Ontario requires completion of implementation of the redevelopment plan "by December 31, 1979 provided that the Minister, on application by the Municipality, may in writing extend such completion date"; and

WHEREAS implementation of the redevelopment plan is not complete in that negotiations for the acquisition of certain properties are still in progress and proposals have been made for the expenditure of any residual funds on the further improvement of parks and recreation facilities and it is anticipated that such implementation will be completed in 1980;

THEREFORE BE IT RESOLVED that the Minister of Housing be requested to extend the completion date of implementation of the redevelopment plan to December 31, 1980.

4. WHEREAS approximately $4,000.00 in additional revenues have been received from property sales and rentals in the Neighbourhood Improvement Program area; and

WHEREAS the Commissioner of Parks and Recreation has indicated that there is an urgent need for funds in order to close up the three large overhead door openings in the multi-purpose area (gymnasium) which will effect a considerable heat-energy saving and make the facility more functional (more wall space for games);

THEREFORE BE IT RESOLVED THAT $4,000.00 in the N.I.P. budget be allocated to "Social and Recreational Facilities" for this purpose.

5. WHEREAS Bill 96, 'An Act to Amend the Planning Act', Section 35a Site Plan Control, came into force on June 22, 1979; and

WHEREAS, pursuant to this legislation, By-Law No. 79-159 was passed to designate the entire City of Kingston as an area of Site Plan Control as an interim measure until a full review of Site Plan Control regulations and procedures could be made; and

WHEREAS after having conducted the review, Planning Board is of the opinion that the Site Plan Control by-law and procedures should be amended;

THEREFORE BE IT RESOLVED that:

a) By-Law No. 79-159, "A By-Law to Designate the City of Kingston as a Site Plan Control Area", be amended as shown on the attached Schedule 'A';

5. (Cont'd)

b) that a by-law be passed to establish Site Plan Control Procedures, as shown on Schedule 'B' attached; and

c) that a by-law be passed to establish the composition and duties of the Site Plan Control Committee as shown on Schedule 'C' attached.

(Note: Schedules "A", "B" and "C" are attached hereto - 3 pages)

(See By-Laws 2 & 3: No. 79-264 & 79-265)

6. WHEREAS proposed "A" Residential zoning for the following six properties:

257-259 Queen Street

73-75 Bay Street and 442 Bagot Street

424 Bagot Street

212 Montreal Street and 68-70 Raglan Road

61-63 John Street

33a Division Street

was referred back to the City, by the Ontario Municipal Board, for further consideration; and

WHEREAS this matter has been further considered by Council and by the Planning Board, and a public meeting has been held;

THEREFORE BE IT RESOLVED THAT Restricted Area (Zoning) By-Law No. 8499 be amended as follows:

A. Amend Zoning Maps No. 17, 18, and 19 so as to rezone lands located on the north side of Queen Street, the north west corner of Bay and Bagot Streets, the west side of Bagot Street, the south west corner of Montreal Street and Raglan Road, the north east corner of John and Patrick Streets and the south west corner of Division and York Streets as shown on copies of Zoning Map Nos. 17, 18 and 19 which are attached hereto as Schedules "A", "B", and "C" from Zones C (Multiple Family Dwelling), Cc (Exclusive Commercial) and D (Commercial and Light Industrial) of Zoning By-Law No. 3077 to A.168 Residential, A.169 Residential, A.170 Residential, A.171 Residential, A.172 Residential and A.173 Residential.

B. Add as Section 168 the following:

"168.On the parcel of land identified as 257-259 Queen Street and designated A.168 on a copy of Zoning Map. No. 18 attached to and forming part of By-Law No. 79-263 as Schedule "B", the permitted uses shall also include neighbourhood stores and a retail store selling and repairing bicycles provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of the passing of this by-law plus an area equal to 10% of the previously described area."

6. (Cont'd)

C. Add as Section 169 the following:

"169. On the parcel of land identified as 73-75 Bay Street and 442 Bagot Street and designated A.169 on a copy of Zoning Map No. 18, attached to and forming part of By-Law No. 79-263 as Schedule "B", the permitted uses shall also include neighbourhood stores, provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law, plus an area equal to 10% of the previously described area."

D. Add as Section 170 the following:

"170. On the parcel of land identified as 424 Bagot Street and designated A.170 on a copy of Zoning Map No. 18 attached to and forming part of By-Law No. 79-263 , as Schedule "B" the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

E. Add as Section 171 the following:

"171. On the parcel of land identified as 212 Montreal Street and 68-70 Raglan Road and designated A.171 on a copy of Zoning Map No. 18 attached to and forming part of By-Law No. 79-263 as Schedule "B" the permitted uses shall also include neighbourhood stores and a retail florist shop provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

F. Add as Section 172 the following:

"172. On the parcel of land identified as 61-63 John Street and designated A.172 on copies of Zoning Maps No. 17 and 18 attached to and forming part of By-Law No. 79-263 as Schedules "A" and "B", the permitted uses shall also included neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

G. Add as Section 173 the following:

"173. On the parcel of land identifed as 330 Division Street and designated A.173 on a copy of Zoning Map No. 19 attached to and forming part of By-Law No. 79-263 as

6. (Cont'd)

G. Cont'd

Schedule "C", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

(Note: Schedules referred to in subsection A have not yet been prepared).

(See By-Law 1 : No. 79- 263)

7. WHEREAS on March 28, 1978, Council gave Development Control approval to plans submitted by McDonald's Restaurants Limited, with respect to a restaurant located on Division Street; and

WHEREAS it was a condition of such agreement that a landscaping plan be submitted to the City for approval; and

WHEREAS such landscaping plan has now been submitted and has been found to be satisfactory;

THEREFORE BE IT RESOLVED that the following plan:

Dwg. No. L-1 - Landscaping Scale 1"=20' - Oct. 30, 1979

be accepted in fulfilment of the aforemented condition of development control approval.

8. WHEREAS a communication has been received from Municipal Planning Consultants, offering their services in connection with preparation of a municipal response to the proposals made in the White Paper on The Planning Act; and

WHEREAS this proposal has been considered by the Planning Board; and

WHEREAS it is the opinion of the Planning Board that such a service would not be of advantage to the City;

THEREFORE BE IT RESOLVED THAT no action be taken on the offer received from Municipal Planning Consultants.

(See Schedule "D" attached hereto - 1 page)

Respectfully submitted,

CHAIRMAN

REPORT NO. 114

To the Mayor and Aldermen: November 13th, 1979

The Grand Theatre Board of Management reports and recommends as follows:

1. That section 1 of By-law 4759, a By-law Concerning the Board of Management for the Grand Theatre Community Centre, be amended to provide that the Board of Management consist of ten persons appointed annually by resolution of Council, so that section 1 would read as follows:

   1. The Board of Management for the Community Centre and Civic Auditorium at 218 Princess Street shall consist of ten persons appointed annually by resolution of Council. At least two of the appointees shall be members of Council.

      Since aid in respect of the erection and maintenance of the Centre was granted by persons, societies and other bodies not within the municipality, members of the Board who are not qualified to be elected as members of Council may be appointed, but the number of such persons appointed shall be less than one-half of the membership of the Board.

   NOTE: Section 1 of By-law 4759 presently provides that the Board of Management of the Grand Theatre shall consist of seven persons appointed annually by resolution of Council.

(See By-Law 4: No. 79-266

2. That transfers from the following Grand Theatre Budget accounts be approved:

		Increase	Decrease
4602	Box Office		$1,400
4632	Cleaning		100
4634	Telephone		400
4635	Advertising		300
4636	Fees, Publications & Travel		300
4605	Janitor	$ 600	
4631-A	Light, Water & Power	1,800	
4652	Maintenance of Building	100	
		$2,500	$2,500

Respectfully submitted,

:lk

Chairman.

REPORT NO. 115

November 19, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, pursuant to Section 636(a) of The Municipal Act, R.S.O. 1970, Chap. 284, the applications of persons and firms listed in the attached Schedule "A" in the amount of $9,115.40 for cancellation, reduction, or refund of taxes levied in 1979 be approved.

   (Note: A copy of the report of the City Treasurer is attached hereto as Schedule "A", 2 Pages.)

2. That, as recommended by the City Clerk, the service contract with Mills Office Suppliers Limited for the 1500 system: 675 copier, Serial #483507, 369 offset, Serial #228, and 167 Converter, Serial #587002 in the amount of $1,380.00 for the period July 1st 1979 to January 1st 1980 be approved. ($2,775 per year).

   (Note: This does not include the collator portion of the system, 1978 Rate was 2 months for $2,450.

   A copy of the report of the City Clerk is attached hereto as Schedule "B", 1 Page.)

3. That, as recommended by the City Solicitor, a by-law be presented to Council to REPEAL By-Law No. 122, "A By-Law for the Protection of Children".

   (Note: A copy of the report of the City Clerk and the City Solicitor is attached hereto as Schedule "C", 5 Pages.)

   (See By-Law 5: No. 79-267)

4. That, as recommended by the Chief Administrative Officer and the Commissioner of Parks and Recreation, as outlined in L. J. Tremblay's report the following corrective measures to correct the heating deficiency in the Xerox & Surrounding Areas of Olympic Site be proceeded with at an estimated cost of $8,100, as follows:

Insulation & Labour - Roof area over Xerox Fire wall areas of Xerox	$5,500.
Timer & Switch, Vent, Reheat unit	500.
Relocate Glass Doors	400.
Miscellaneous materials (caulking, etc.)	500.
Consulting Fees	1,200.
	$8,100.

- and further -

that the following budget transfers be approved:

4. (cont'd).

PARKS & RECREATION	INCREASE	DECREASE
Playground Budget -Account No. 423-40		$6,000.
Portsmouth Olympic Harbour - Account No.329-66	$6,000.	
Finance Contingencies		$2,100.
Portsmouth Olympic Harbour Account No. 329-66	$2,100.	

(Note: A copy of the Report of the Chief Administrative Officer and the Director of Parks and Recreation is attached hereto as Schedule "D", 3 Pages.)

5. That, as recommended by the Administrator of Social Services, an agreement be entered into with the Ontario Dental Association for the year 1980, said agreement to contain the following conditions, it being noted that the agreement has been approved by the City Solicitor:

    a) Provision for dental services and emergency services in accordance with rates approved by the Ontario Dental Association.

    b) Services are to be approved by the Social Services Administrator.

    c) Agreement is for a period of one year and may be terminated by either party upon three months' notice.

(Note: A copy of the Report of the Administrator of Social Services is attached hereto as Schedule "E", 2 Pages.)

6. WHEREAS at the meeting of City Council held on July 11th 1979 it was requested that a report be made to Council on the appropriate zoning amendments in the Industrial Park Land zoned M to legalize all existing industrial, commercial, wholesale and retail businesses now existing;

AND WHEREAS, as indicated in the report of the Chief Administrative Officer attached hereto as Schedule "F", a review was made of the properties located in the Industrial Park to ascertain whether or not the percentage of floor area used for retail purposes is in excess of the amount allowed by the by-law which is 25%;

AND WHEREAS it was found that four properties are using a larger floor area than the 25% level provided for in the by-law;

THEREFORE BE IT RESOLVED that applications be authorized to be prepared for the following:

a) Application to the Committee of Adjustment to provide for the use of slightly over the limited 25% of retail space by the businesses at 41-45 Counter Street.

b) Applications to spot zone the properties located at 93 Counter Street and 149 Counter Street to allow for future extension.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "F", 8 Pages.)

7. Moved by Alderman
Seconded by Alderman

That Clause 12, Report No. 94, as follows and the following motion of Alderman Hawkins and Alderman Knapp be lifted from the table and considered:

A) *"That, as recommended by Mayor Keyes and the Chief Administrative Officer, By-Law No. 1, be amended on third reading to provide that if in the discretion of the Mayor and Chief Administrative Officer, there are not sufficient items of business to warrant holding a meeting, the members of Council be notified on the Friday preceding the regular meeting date that the meeting has been cancelled."*

B) *"Moved by Ald. Hawkins,*
Seconded by Ald. Knapp,

That Clause 12, Report No. 94, be amended to provide that:

1) *Regular Council Meetings shall be held on the 2nd and 4th Mondays and,*

2) *On the Third Monday of each month there will be a meeting of Department Heads and Council to discuss such items as Budget, Planning Policies, Negotiations, etc.".*

8. Moved by Alderman
Seconded by Alderman

That the following motion of Ald. Hawkins and Ald. Knapp which reads as follows be lifted from the table and considered:

"Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That City Council will hold a special meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.".

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer.

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTION

BYLAWS

(A) That By-Law Nos. 1 to 6 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law Nos. 2 to 6 their Third Reading.

(C) That By-Law Nos. 2 to 6 be given their Third Reading.

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone Properties located at 257/9 Queen Street, 73/75 Bay Street, 442 Bagot Street, 424 Bagot Street, 212 Montreal Street, 68/70 Raglan Road, 61/3 John Street, 330 Division Street re: Neighbourhood Stores)

(FIRST AND SECOND READINGS) (PROPOSED NO. 79-263)
(Clause 6, Report No. 113).

(2) A By-Law to Amend By-Law No. 79-159, "A By-Law to Designate the City of Kingston as a Site Plan Control Area" (Revision of Section 2)

(THREE READINGS) (PROPOSED NO. 79-264)
(Clause 5, Report No. 113).

(3) A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee

(THREE READINGS) (PROPOSED NO. 79-265)
(Clause 5, Report No. 113).

(4) A By-Law to amend By-Law No. 4759, "A By-Law Concerning the Board of Management for the Grand Theatre Community Centre" (Increase Board Membership to Ten)

(THREE READINGS) (PROPOSED NO. 79-266)
(Clause 1, Report No. 114).

BYLAWS (Cont'd)

(5) A By-Law to Repeal By-Law No. 122, "A By-Law for the Protection of Children"

(THREE READINGS) (PROPOSED NO. 79-267)
(Clause 3, Report No. 115).

(6) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on November 19th 1979.

(THREE READINGS) (PROPOSED NO. 79-268)
City Council Meeting No. 46, 1979.

UNFINISHED BUSINESS

ADJOURNMENT

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
DEC 12 1979

CITY COUNCIL MEETING NO. 46

The Regular Meeting of City Council was held on Monday, November 19, 1979 commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:00 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins (arrived at 7:05 p.m.) Ald. Knapp, Ald. Matthews, Ald. McArthur, Ald. Miller (arrived at 7:15 p.m.) Ald. Tarnowecky (arrived at 7:06 p.m.) Ald. Timmins, Ald. Webb (14)

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

CARRIED

(B) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

(Council Chamber)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

REPORT OF THE COMMITTEE OF THE WHOLE

Mayor Keyes reported that the following motions were passed in the Committee of the Whole:

) Moved by Ald. Clements,
Seconded by Ald. Hawkins,

That Council reaffirm the policy of the Social Services Department to terminate assistance to some recipients with a continuous record of intoxication charges when on welfare rolls, such policy to be administered at the Administrator's discretion.

CARRIED

) Moved by Ald. Tarnowecky,
Seconded by Ald. Webb,

THAT WHEREAS after several attempts were made to negotiate a resolve with the Kingston Professional Fire Fighters Association with regard to the Premium Rate Reduction required under U.I.C. regulations;

AND WHEREAS the Kingston Professional Fire Fighters Association has notified under date of November 2nd 1979 that the membership has advised that they prefer a refund rather than applying the premium rebate to additional benefits;

REPORT OF THE COMMITTEE OF THE WHOLE (Cont'd)

THEREFORE AS RECOMMENDED BY THE Director of Personnel a refund to all eligible members of the Fire Service (5/12ths rebate for the years 1973 to 1978 inclusive) in the amount of $6,467.68 be approved and the Unemployment Insurance Commission, Ottawa, be so notified, as soon as possible.

- and further -

That the following budget transfer be approved:

	INCREASE	DECREASE
FIRE DEPARTMENT - SALARIES	$6,467.68	-
FINANCE CONTINGENCIES	-	$6,467.68

CARRIED

(C) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That the report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MINUTES

Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That the Minutes of Meeting No. 44 held on November 5, 1979 be confirmed.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 669 to 672.

Filed

(660) From the Ministry of Housing forwarding a copy of their newest publication entitled "Official Plan Amendments - A Guide to Their Preparat It is intended as a form and content guide for municipalities, planni boards and planning consultants in preparing official plan amendments

File No. 16-1.1

Referred to the Committee of the Whole

(661) From National Defence Headquarters, Ottawa, informing the City of Kin that the Department of National Defence will be conducting the annual National Defence College (NDC) Course at Fort Frontenac, Kingston, fr September 2, 1980 until July 17, 1981 and asking if the City wishes t nominate a candidate to take the course).
(Note: Copies of above letter have been distributed to all members of Council)

File No. 6-2.4

COMMUNICATIONS (Cont'd)

Referred to the City of Kingston Planning Board

(662) Application for zone change from Mr. Bernard Breen, 100 Cliff Crescent, Kingston, requesting a zone change in Pt. Farm Lot 21, Concession 2, formerly Twp. of Kingston now in the City of Kingston, north side of Concession Street, opposite Ontario Government Liqour Store, from present zoning classification of C2 to permit construction of a commercial building.
The construction would begin approximately in the spring of 1980 and be completed in the fall of 1980.

File No. 25-2

Filed

663) From the Provincial Secretary of Social Development urging municipalities to pass by-laws pursuant to Section 352(77) of The Municipal Act, R.S.O. 1970, as amended, to license, regulate and govern boarding and lodging homes to ensure that residents of such homes have the assurance that their living conditions meet basic standards related to health, fire and safety. *(Note: By-Law No. 8109, "A By-Law to Provide for the Licensing, Regulating and Governing of Lodging Houses in the City of Kingston", was passed October 15, 1974)*

File No. 12-8.1

(664) From the Hon. Claude Bennett, Minister of Housing, approving the Redevelopment Area designation authorized by By-Law No. 9356 with respect to the expanded RRAP development area and notifying that a separate RRAP allocation has been allocated to the specially designated expanded RRAP development area.

File No. 8-3.17

(665) From the Ministry of Housing notifying that the Revised Metric Consolidation of the Official Plan of the City of Kingston Planning Area as adopted by Council by By-Law No. 79-202 has been approved by the Minister with modifications which were also approved by Council in R. 93 (3) 79.

File No. 16-1.1

Referred to the City Solicitor and to the Industrial Commissioner and Airport Administrator

(666) Copy of a letter from the Hon. Claude F. Bennett, Minister of Housing, to the O.M.B. referring portions of Amendment No. 16 to the Official Plan for the Township of Kingston Planning Area to the Ontario Municipal Board, as requested by the City of Kingston. (R. 96 (4) 79).

File No. 16-1.2-1

COMMUNICATIONS (Cont'd)

Which had been Referred to the City Solicitor

(667) Copy of letter, dated October 31, 1979, from Mr. J.B. Sampson to the Ministry of Housing, Plans Administration Branch, submitting argumen for the approval of his 140 unit condominium project on the north we corner of Bath Road and Sir John A. Macdonald Boulevard and suggesti if the plan is not approved, an application to the Municipal Board f an Order would appear to be an exercise in futility because both the City's Official Plan and Zoning By-Law confirms his application and therefore he would have no alternative but to ask the court for a *mandamus* for the issue of the Permit and would have to join the Ministry, inasmuch as the Minister's approval for the condominium pr ject is needed.

File No. 3-12.4-1

Referred to the City Solicitor

(668) Copy of letter dated November 9, 1979, from the Plans Administratio Branch of the Ministry of Housing to Mr. J.B. Sampson notifying tha they have reviewed his application for approval a 140 unit condomin project on the north west corner of Bath Road and Sir John A. MacDonald Boulevard and are not recommending it for approval at this time because the City (in R. 99 (1) 79) considers that the proposed condominium plan does not conform to the Official Plan nor to the r quirements of the City's Zoning By-Law regarding lot occupancy and rear yards.

File No. 3-12.4-1

Referred to the Planning Board

(668) From Mrs. Irene Mooney regarding the "spot zoning" for the following seven corner stores and stating that if the City Council approves the said amendment to By-Law No. 8499, she is registering an objection on the basis that all corner stores in the NIP area and in the City of Kingston, including her store located at 375 Division Street which is categorized as a non-conforming use, should be given the same consideration:

Blaney's Florist, 79 Raglan Road
Blaney's Limited, 210 Montreal Street
Cochrane's Grocery, 73 Bay Street
Norman Agency, 424 Bagot Street
Weston's Coiffure, 257/259 Queen Street
Pat's Grocery, 61/63 John Street
Frank's Italian Grocery, 330 Division Street.

File No. 25-2

Referred to the Commissioner of Works

(669) From the Canadian National Institute for the Blind urging the City of Kingston to enforce the bylaw that governs sidewalk snow clearanc in order to make it as easy as possible for the handicapped.

File No. 20-5

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer

(670) From the Ministry of Intergovernmental Affairs forwarding a copy of Bill 173, "An Act to Amend The Municipal Act" and asking the City to comment.

(Note: Copy of above has been distributed to all members of Council)

File No. 13-6.1

Filed

(671) Copy of letter to the Onario Municipal Board from the Committee of Adjustment of the City of Kingston submitting Notice of Appeal of their Decision to partially approve application No. 1292-79 of Mrs. Anna Miolée for a minor variance from Zoning By-Law No. 8499 with respect to her property at 493 Johnson Street.

File No. 3-12

(672) Copy of letter to the Ontario Municipal Board from the Committee of Adjustment of the City of Kingston submitting Notice of Appeal of their Decision NOT to approve application No. 1301-79 of Annie Isobel MacDonald for a minor variance from Zoning By-Law No. 8499 with respect to her property at 214 and 216 Alfred Street.

File No. 3-12

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Clark,
Seconded by Ald. Clements,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

Mayor Keyes reported that the following reports were considered in the Committee of the Whole:

REPORTS

Ald. Timmins presented Report No. 113 of the City of Kingston Planning Boar

Council consented to the following changes to Report No. 113:

a) Clause 1(k): That the word "easterly" be deleted and replaced with the word "rear",

b) Clause 5, Schedule "A": That section 3(a)(iii) be amended to delete the words "alterations or additions" and substitute therefor the word "developments",

c) Clause 6: Delete "33a Division Street" and substitute therefor the words "330 Division Street",

d) Clause 8: Delete the words "of advantage to" in the third recital clause and substitute therefor the words "required by"

Moved by Ald. Timmins,
Seconded by Ald. Clements,

That Report No. 113 of the City of Kingston Planning Board be received and adopted, clause by clause.

REPORT NO. 113

November 14, 1979.

To the Mayor and Aldermen:

The City of Kingston Planning Board reports and recommends as follows:

1. That the following plans, submitted by Duyan Investments Limited, with respect to a retail commercial building at 386-388 Princess Street:

Dwg. #1 - Site Plan - Scale 1"=10' - Sept. 1979

Dwg. #2 - Floor Plans - Scale 3/16"=1'0"- Sept. 1979

Dwg. #3 - Elevations - Scale 3/16"=1'0" - Sept. 1979

be approved, subject to the owner entering into a Development Control agreement which shall include the following conditions:

a) *that development shall be in accordance with the above listed plans;*

b) *that prior to the issuance of the building permit, grading and servicing plans to the satisfaction of the Commissioner of Works shall be submitted;*

c) *that all parking areas and vehicular access routes shall be paved;*

d) *that the design and location of all exterior lighting shall be subject to approval by the City;*

e) *that any exterior air conditioning or mechanical units shall be located and screened in a manner which is satisfactory to the City;*

REPORTS (Cont'd)

Report No. 113 - City of Kingston Planning Board

f) *that the approval of Council shall be required prior to any storm sewer connection to the Princess Street sewer;*

g) *that if any new water service becomes necessary it shall be at the owner's cost from the 16 inch diameter watermain in Princess Street;*

h) *that the electrical supply shall be 120/208 volt, three phase up to a maximum of 400 amperes; should a larger supply be required it shall be a primary 4160 volt service with a service entry switch not more than 4 feet from the front wall of the building, with the owner to provide concrete encased conduit any distance greater than 4 feet;*

i) *that the interior layout as shown on Dwg. #2 shall not be subject to the requirements of site plan control.*

j) *that no exterior storage of garbage shall take place unless it is within a permanent garbage storage area, the design and location of which shall be subject to approval by the City;*

k) *that a 4½ ft. masonry screening wall shall be placed along the rear boundary of the site, the design of which shall be subject to City approval.*

CARRIED AS AMENDED

2. That the City's share of unexpended funds in the Neighbourhood Improvement Program as at December 31st, 1979, be placed in reserve.

CARRIED 14:1
Ald. Tarnowecky opposed

3. WHEREAS the Neighbourhood Improvement Program Implementation Agreement of September 1, 1978, with the Province of Ontario requires completion of implementation of the redevelopment plan "by December 31, 1979 provided that the Minister, on application by the Municipality, may in writing extend such completion date"; and

WHEREAS implementation of the redevelopment plan is not complete in that negotiations for the acquisition of certain properties are still in progress and proposals have been made for the expenditure of any residual funds on the further improvement of parks and recreation facilities and it is anticipated that such implementation will be completed in 1980;

THEREFORE BE IT RESOLVED that the Minister of Housing be requested to extend the completion date of implementation of the redevelopment plan to December 31, 1980.

CARRIED

REPORTS (Cont'd)

Report No. 113 - City of Kingston Planning Board

4. WHEREAS approximately $4,000.00 in additional revenues have been received from property sales and rentals in the Neighbourhood Improvement Program area; and

WHEREAS the Commissioner of Parks and Recreation has indicated that there is an urgent need for funds in order to close up the three large overhead door openings in the multi-purpose area (gymnasium) which will effect a considerable heat-energy saving and make the facility more functional (more wall space for games);

THEREFORE BE IT RESOLVED THAT $4,000.00 in the N.I.P. budget be allocated to "Social and Recreational Facilities" for this purpose.

CARRIED

5. WHEREAS Bill 96, 'An Act to Amend the Planning Act', Section 35a Site Plan Control, came into force on June 22, 1979; and

WHEREAS, pursuant to this legislation, By-Law No. 79-159 was passed to designate the entire City of Kingston as an area of Site Plan Control as an interim measure until a full review of Site Plan Control regulations and procedures could be made; and

WHEREAS after having conducted the review, Planning Board is of the opinion that the Site Plan Control by-law and procedures should be amended;

THEREFORE BE IT RESOLVED that:

a) **By-Law No. 79-159, "A By-Law to Designate the City of Kingston as a Site Plan Control Area", be amended as shown on the attached Schedule 'A';**

b) that a by-law be passed to establish Site Plan Control Procedures, as shown on Schedule 'B' attached; and

c) that a by-law be passed to establish the composition and duties of the Site Plan Control Committee as shown on Schedule 'C' attached.

(Note: Schedules "A" (as amended), "B" and "C" (as amended) are attac hereto - 3 pages).

(See By-Laws 2 & 3: No. 79-264 & 79-265)

CARRIED AS AMENDED
See following motion of amendment

REPORTS (Cont'd)

Report No. 113 - City of Kingston Planning Board

5. (Cont'd)

Moved by Ald. Clements,
Seconded by Ald. Timmins,

That Clause 5, Report No. 113, Schedule "C" be amended to delete the words, "two members of Council (appointed by Council)" and substitute therefor the words, "two members of the Planning Board or of Council (appointed by Council)"

CARRIED

Ald. Gorham declared a conflict of interest in Clause 6 since his wife has a financial interest in 61-63 John Street.

Moved by Ald. Knapp,
Seconded by Ald.

That Clause 6, Report No. 113, be Tabled.

OUT OF ORDER

Mayor Keyes ruled the proposed motion out of order since the Ontario Municipal Board had referred the zoning for these six properties back to the City of Kingston for a ruling on those six properties.

Moved by Ald. Hawkins,
Seconded by Ald. Matthews,

That Clause 6(G) be amended to delete the provision for a 10% expansion.

LOST 3:12

6. WHEREAS proposed "A" Residential zoning for the following six properties:

257-259 Queen Street
73-75 Bay Street and 442 Bagot Street
424 Bagot Street
212 Montreal Street and 68-70 Raglan Road
61-63 John Street
330 Division Street

was referred back to the City, by the Ontario Municipal Board, for further consideration; and

WHEREAS this matter has been further considered by Council and by the Planning Board, and a public meeting has been held;

THEREFORE BE IT RESOLVED THAT Restricted Area (Zoning) By-Law No. 8499 be amended as follows:

REPORTS (Cont'd)

Report No. 113 - City of Kingston Planning Board

6. (Cont'd)

A. Amend Zoning Maps No. 17, 18, and 19 so as to rezone lands located on the north side of Queen Street, the north west corner of Bay and Bagot Streets, the west side of Bagot Street, the south west corner of Montreal Street and Raglan Road, the north east corner of John and Patrick Streets and the south west corner of Division and York Streets as shown on copies of Zoning Map Nos. 17, 18 and 19 which are attached hereto as Schedules "A", "B", and "C" from Zones C (Multiple Family Dwelling), Cc (Exclusive Commercial) and D (Commercial and Light Industrial) of Zoning By-Law No. 3077 to A.168 Residential, A.169 Residential, A.170 Residential, A.171 Residential, A.172 Residential and A.173 Residential.

B. Add as Section 168 the following:

"168. On the parcel of land identified as 257-259 Queen Street and designated A.168 on a copy of Zoning Map. No. 18 attached to and forming part of By-Law No. 79- 263 as Schedule "B", the permitted uses shall also include neighbourhood stores and a retail store selling and repairing bicycles provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of the passing of this by-law plus an area equal to 10% of the previously described area."

C. Add as Section 169 the following:

"169. On the parcel of land identified as 73-75 Bay Street and 442 Bagot Street and designated A.169 on a copy of Zoning Map No. 18, attached to and forming part of By-Law No. 79- 263 as Schedule "B", the permitted uses shall also include neighbourhood stores, provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law, plus an area equal to 10% of the previously described area."

D. Add as Section 170 the following:

"170. On the parcel of land identified as 424 Bagot Street and designated A.170 on a copy of Zoning Map No. 18 attached to and forming part of By-Law No. 79- 263 , as Schedule "B" the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

REPORTS (Cont'd)

Report No. 113 - City of Kingston Planning Board

6. (Cont'd)

E. Add as Section 171 the following:

"171. On the parcel of land identified as 212 Montreal Street and 68-70 Raglan Road and designated A.171 on a copy of Zoning Map No. 18 attached to and forming part of By-Law No. 79-263 as Schedule "B" the permitted uses shall also include neighbourhood stores and a retail florist shop provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

F. Add as Section 172 the following:

"172. On the parcel of land identified as 61-63 John Street and designated A.172 on copies of Zoning Maps No. 17 and 18 attached to and forming part of By-Law No. 79-263 as Schedules "A" and "B", the permitted uses shall also included neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

G. Add as Section 173 the following:

"173. On the parcel of land identifed as 330 Division Street and designated A.173 on a copy of Zoning Map No. 19 attached to and forming part of By-Law No. 79-263 as

Schedule "C", the permitted uses shall also include neighbourhood stores provided that these commercial uses do not occupy a total floor area which is greater than the total floor area occupied by commercial uses established on these premises as of the date of passing of this by-law plus an area equal to 10% of the previously described area."

(Note: Schedules referred to in subsection A have not yet been prepared).

(See By-Law 1 : No. 79-263)

CARRIED AS AMENDED 13:1
See Recorded Vote
Ald. Gorham abstained from voting

Ald. Webb requested a recorded vote on Clause 6 which was as follows:

YEAS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Hawkins, Ald. Knapp, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (13)

NAYS: Ald. Lampropoulos (1)

REPORTS (Cont'd)

Report No. 113 - City of Kingston Planning Board

7. WHEREAS on March 28, 1978, Council gave Development Control approval to plans submitted by McDonald's Restaurants Limited, with respect to a restaurant located on Division Street; and

WHEREAS it was a condition of such agreement that a landscaping plan be submitted to the City for approval; and

WHEREAS such landscaping plan has now been submitted and has been found to be satisfactory;

THEREFORE BE IT RESOLVED that the following plan:

Dwg. No. L-1 - Landscaping Scale 1"=20' - Oct. 30, 1979

be accepted in fulfilment of the aforemented condition of development control approval.

CARRIED

8. WHEREAS a communication has been received from Municipal Planning Consultants, offering their services in connection with preparation of a municipal response to the proposals made in the White Paper on The Planning Act; and

WHEREAS this proposal has been considered by the Planning Board; and

WHEREAS it is the opinion of the Planning Board that such a service would not be required by the City;

THEREFORE BE IT RESOLVED THAT no action be taken on the offer received from Municipal Planning Consultants.

(See Schedule "D" attached hereto - 1 page)

CARRIED AS AMENDED

Respectfully submitted,

(Signed) *Grant Timmins* (Chairman)
Ken Keyes
John Clements
W. Knapp
Lois E. Miller

* * *

Schedule "A" to Report No. 113
(Page 1)

AMENDMENT TO BY-LAW NO. 79-159

Designate the City of Kingston as a Site Plan Control Area

1. Delete Section 2 of By-Law 79-159 and replace it with the following as Sections 2,3 and 4:

   2. In this By-Law "development" means the construction, erection or placing of one or more buildings or structures on land or the making of an addition or alteration to a building or structure that has the effect of substantially increasing the size or useability thereof, or the laying out and establishment of a commercial parking lot,

   3. The provisions of this By-Law shall not apply to following uses of land;

      (a) (i) one and two family dwellings and accessory buildings or structures thereto, in any residential zone,

      (ii) less than three temporary portable classrooms accessory to a school,

      (iii) developments which contain less than 140m^2 of floor space,

      (iv) works which result from the requirements of the Fire Marshall's Act or an order issued by the Fire Chief.

      (b) provided that the exceptions listed in section 2(a) do not apply to:

      (i) buildings which are designated under the provisions of the Ontario Heritage Act,

      (ii) one family dwellings which are being converted to two family dwellings.

   4. Council's authority under this By-Law is delegated to a Site Plan Committee appointed by Council operating under procedures prescribed by Council.

2. Sections 3,4 and 5 shall be renumbered as sections 5,6 and 7 respectively.

Schedule "B" to Report No. 113
(Page 1)

CITY OF KINGSTON

SITE PLAN CONTROL PROCEDURES (DRAFT)

1. When a complete application for Site Plan approval is received, it shall be referred to the technical staff whose comment shall be required within not more than 10 working days. Notice of receipt of the application shall also be sent to the members of Council and Planning Board.

2. After examination by the technical staff all applications shall be referred to the Site Plan Control Committee for its decision.

3. At the request of three members of Planning Board and/or Council, or by referral from the Site Plan Control Committee, the application shall be referred to Planning Board which shall recommend to Council.

4. Requests for amendment to approved Site Plan Control agreements and/or plans shall be referred to the Planning Director and Chief Building Official who, if in their opinion the amendments are minor, may approve of them. Where the amendment is not considered to be minor or is not considered to be appropriate, the request shall be referred to the Site Plan Control Committee.

5. Where a clause in the Site Plan Control agreement requires approval by the City (i.e. landscaping, grading, garbage enclosures, walls, fences), these may be approved by the Director of Planning on the recommendation of the Municipal Department or Departments concerned, or the matter may be referred to the Site Plan Control Committee.

6. Where an owner is not satisfied with any decision made under the above procedures an appeal may be made to Council. If the owner is not satisfied with Council's decision, an appeal may be made to the O.M.B.

7. The City Solicitor is authorized to prepare and register agreements necessary to implement the decisions of the Site Plan Control Committee.

Schedule "C" to Report No. 113
(Page 1)

COMPOSITION AND DUTIES OF THE

SITE PLAN CONTROL COMMITTEE

Composition:

The Chairman of Planning Board (Vice-Chairman as alternate)

Two members of the Planning Board or of Council (appointed by Council)

An Architect (or alternate) as appointed by Council

The Director of Planning (or designate)

The Chief Building Official (or designate)

Duties:

In accordance with established Site Plan Control Procedures the Site Plan Control Committee shall be responsible for evaluation of site plans submitted for City approval pursuant to Section 35(a) of The Planning Act and By-Law No. 79-159, and on the basis of those evaluations shall decide on the nature of and direct the preparation of agreements for registration prior to developments being initiated within the City of Kingston.

Schedule "D" to Report No. 113
(Page 1)

Municipal Planning Consultants

322 Brock Street
Kingston, Canada
K7L 1S9

Telephone (613) 549-1514

FILE
#17-9

CITY COUNCIL
MEETING OF:
5 NOV 1979

COMMUNICATION
No: 642

October 3, 1979.

Mayor and Members of Council,
City of Kingston,
City Hall,
216 Ontario Street,
KINGSTON, Ontario.
K7L 2Z3

Attention: Mr. Robert Hamilton,
City Administrator.

Re: White Paper on The Planning Act

Dear Mayor Keyes and Members of Council:

As part of our continuing program to provide information of current interest in planning, we have compiled the following brief summary of events relating to the current review of The Planning Act in Ontario:

(1) In 1975, the Planning Act Review Committee was established by the Government of Ontario to examine the nature of municipal planning. For over a year, the Committee carried out meetings, discussions, interviews and research projects.

(2) In April 1977, the Planning Act Review Committee submitted its report. This Report of the Planning Act Review Committee was published by the Ontario Government in June 1977 and submissions were requested. Nearly 400 submissions were received.

(3) The submissions were reviewed, additional studies were commissioned and, in May 1979, the Government of Ontario issued the White Paper on The Planning Act. Once again, the Province has asked for submissions from councils, planning boards and other groups interested in municipal planning.

(4) The Province has extended the deadline for accepting submissions on the White Paper to March 31, 1980.

If the proposals set out in the White Paper are enacted into law by the Province there will be profound and long-term effects on the planning process in Ontario.

We are bringing these matters to your attention because of the previous concern you expressed in your submission on the Report of the Planning Act Review Committee. Should you require any assistance in preparing a submission to the Province on the White Paper, we will be pleased to meet with you to discuss your concerns with the White Paper and other key elements of a submission.

Yours very truly,
MUNICIPAL PLANNING CONSULTANTS

Robert H. Fonger,
Manager Kingston Office

/bc

REPORTS (Cont'd)

Ald. Tarnowecky presented Report No. 114 of the Grand Theatre Board.

Council consented, at the request of Ald. Tarnowecky, to the deletion of paragraph 3 of Clause 1.

Moved by Ald. Tarnowecky,
Seconded by Ald. Gerretsen,

That Report No. 114 of the Grand Theatre Board be received and adopte, clause by clause.

REPORT NO. 114

To the Mayor and Aldermen: November 13th, 1979

The Grand Theatre Board of Management reports and recommends as follows:

1. That section 1 of By-law 4759, a By-law Concerning the Board of Management for the Grand Theatre Community Centre, be amended to provide that the Board of Management consist of ten persons appointed annually by resolution of Council, so that section 1 would read as follows:

   1. The Board of Management for the Community Centre and Civic Auditorium at 218 Princess Street shall consist of ten persons appointed annually by resolution of Council. At least two of the appointees shall be members of Council.

   NOTE: Section 1 of By-law 4759 presently provides that the Board of Management of the Grand Theatre shall consist of seven persons appointed annually by resolution of Council.

   (See By-Law 4: No. 79-266

   CARRIED AS AMENDED

2. That transfers from the following Grand Theatre Budget accounts be approved:

		Increase	Decrease
4602	Box Office		$1,400
4632	Cleaning		100
4634	Telephone		400
4635	Advertising		300
4636	Fees, Publications & Travel		300
4605	Janitor	$ 600	
4631-A	Light, Water & Power	1,800	
4652	Maintenance of Building	100	
		$2,500	$2,500

CARRIED

Respectfully submitted,

(Signed) Y. Tarnowecky (Chairman)
J. Gerretsen

REPORTS (Cont'd)

Report No. 115 - Chief Administrative Officer

Council consented to the addition of Clause 9 to Report No. 115.

Moved by Ald. Webb,
Seconded by Ald. Bishop,

That Report No. 115 of the Chief Administrative Officer be received and considered.

REPORT NO. 115

November 19, 1979.

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, pursuant to Section 636(a) of The Municipal Act, R.S.O. 1970, Chap. 284, the applications of persons and firms listed in the attached Schedule "A" in the amount of $9,115.40 for cancellation, reduction, or refund of taxes levied in 1979 be approved.

   (*Note: A copy of the report of the City Treasurer is attached hereto as Schedule "A", 2 Pages.*)

   CARRIED

2. That, as recommended by the City Clerk, the service contract with Mills Office Suppliers Limited for the 1500 system: 675 copier, Serial #483507, 369 offset, Serial #228, and 167 Converter, Serial #587002 in the amount of $1,380.00 for the period July 1st 1979 to January 1st 1980 be approved. ($2,775 per year).

   (*Note: This does not include the collator portion of the system, 1978 Rate was 2 months for $2,450.*

   A copy of the report of the City Clerk is attached hereto as Schedule "B", 1 Page.)

   CARRIED

3. That, as recommended by the City Solicitor, a by-law be presented to Council to REPEAL By-Law No. 122, "A By-Law for the Protection of Children".

   (*Note: A copy of the report of the City Clerk and the City Solicitor is attached hereto as Schedule "C", 5 Pages.*)

   (See By-Law 5: No. 79-267)

   CARRIED

REPORTS (Cont'd)

Report No. 115 - Chief Administrative Officer

4. That, as recommended by the Chief Administrative Officer and the Commissioner of Parks and Recreation, as outlined in L. J. Tremblay's report the following corrective measures to correct the heating deficiency in the Xerox & Surrounding Areas of Olympic Site be proceeded with at an estimated cost of $8,100, as follows:

Insulation & Labour - Roof area over Xerox Fire wall areas of Xerox	$5,500.
Timer & Switch, Vent, Reheat unit	500.
Relocate Glass Doors	400.
Miscellaneous materials (caulking, etc.)	500.
Consulting Fees	1,200.
	$8,100.

- and further -

that the following budget transfers be approved:

	INCREASE	DECREASE
PARKS & RECREATION		
Playground Budget -Account No. 423-40		$6,000.
Portsmouth Olympic Harbour - Account No. 329-66	$6,000.	
Finance Contingencies		$2,100.
Portsmouth Olympic Harbour Account No. 329-66	$2,100.	

(Note: A copy of the Report of the Chief Administrative Officer and the Director of Parks and Recreation is attached hereto as Schedule "D", 3 Pages.)

CARRIED

5. That, as recommended by the Administrator of Social Services, an agreement be entered into with the Ontario Dental Association for the year 1980, said agreement to contain the following conditions, it being noted that the agreement has been approved by the City Solicitor:

   a) Provision for dental services and emergency services in accordance with rates approved by the Ontario Dental Association.

   b) Services are to be approved by the Social Services Administrator.

   c) Agreement is for a period of one year and may be terminated by either party upon three months' notice.

(Note: A copy of the Report of the Administrator of Social Services is attached hereto as Schedule "E", 2 Pages.)

CARRIED

REPORTS (Cont'd)

Report No. 115 - Chief Administrative Officer

6. WHEREAS at the meeting of City Council held on July 11th 1979 it was requested that a report be made to Council on the appropriate zoning amendments in the Industrial Park Land zoned M to legalize all existing industrial, commercial, wholesale and retail businesses now existing;

AND WHEREAS, as indicated in the report of the Chief Administrative Officer attached hereto as Schedule "F", a review was made of the properties located in the Industrial Park to ascertain whether or not the percentage of floor area used for retail purposes is in excess of the amount allowed by the by-law which is 25%;

AND WHEREAS it was found that four properties are using a larger floor area than the 25% level provided for in the by-law;

THEREFORE BE IT RESOLVED that the owners of the four properties be requested to prepare applications to provide for:

a) Application to the Committee of Adjustment to provide for the use of slightly over the limited 25% of retail space by the businesses at 41-45 Counter Street; or

b) Applications to spot zone the properties located at 93 Counter Stree and 149 Counter Street to allow for future extension.

(Note: A copy of the report of the Chief Administrative Officer is attached hereto as Schedule "F", 8 Pages.)

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Hawkins,
Seconded by Ald. Webb,

That Clause 6, Report No. 115 be amended by deleting the following word

"Therefore be it Resolved that applications be authorized to be prepared for the following:",

and by substituting therefor the following words:

"Therefore be it Resolved that the owners of the four properties be requested to prepare applications to provide for:"

and further by adding the word "or" at the end of Clause 6a).

CARRIED

REPORTS (Cont'd)

Report No. 115 - Chief Administrative Officer

7. Moved by Ald. Clark,
Seconded by Ald. Clements,

That Clause 12, Report No. 94, as follows, and the following motion of Ald. Hawkins and Ald. Knapp be lifted from the table and considered:

A) *"That, as recommended by Mayor Keyes and the Chief Administrative Officer, By-Law No. 1 be amended on third reading to provide that if in the discretion of the Mayor and Chief Administrative Officer, there are not sufficient items of business to warrant holding a meeting, the members of Council be notified on the Friday preceding the regular meeting date that the meeting has been cancelled."*

B) *"Moved by Ald. Hawkins,*
Seconded by Ald. Knapp,

That Clause 12, Report No. 94, be amended to provide that:

1) *Regular Council Meetings shall be held on the 2nd and 4th Mondays; and,*

2) *On the Third Monday of each month there will be a meeting of Department Heads and Council to discuss such items as Budget, Planning Policies, Negotiations, etc."*

CARRIED

Clause 7B) was then discussed.

Moved by Ald. Timmins,
Seconded by Ald. Hawkins,

That Clause 7B)2) be amended to add the words, "personnel matters" after the word "negotiations".

CARRIED

Moved by Ald. Hawkins,
Seconded by Ald. Miller,

That Clause 7B)2) be further amended to insert the word, "public" before the word "meeting".

CARRIED

Clause 7B) as amended, which reads as follows, was then considered:

7.B) That Clause 12, Report No. 92, be amended to provide that:

1) Regular Council Meetings shall be held on the 2nd and 4th Mondays, and,

2) On the Third Monday of each month there will be a public meeting of Department Heads and Council to discuss such items as Budget, Planning Policies, Negotiations, Personnel Matters, etc.

LOST AS AMENDED 4:11
(See following recorded vote)

REPORTS (Cont'd)

Report No. 115 - Chief Administrative Officer

7B) (Cont'd)

Ald. Webb requested a recorded vote on Clause 7B) which was as follows:

YEAS: Ald. Hawkins, Ald. Knapp, Ald. Matthews, Ald. Timmins (4)

NAYS: Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Lampropoulos, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Webb (11)

Clause 7A) was then considered:

7.A) That as recommended by Mayor Keyes and the Chief Administrative Officer, By-Law No. 1 be amended on third reading to provide that if in the discretion of the Mayor and Chief Administrative Officer, there are not sufficient items of business to warrant holding a meeting, the members of Council be notified on the Friday preceding the regular meeting date that the meeting has been cancelled.

CARRIED

(By-Law Amendment to be presented to Council November 26, 1979)

8. Moved by Ald. McArthur,
Seconded by Ald. Tarnowecky,

That the following motion of Ald. Hawkins and Ald. Knapp which reads as follows be lifted from the table and considered:

"Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That City Council will hold a special meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.".

CARRIED

The motion was then considered.

8. That City Council will hold a special meeting the first Wednesday of each month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc.

CARRIED

(See adoption of the Committee of the Whole Repo
wherein this clause was amended by Council, see
page 1878, to change the meeting date to "Fifth"
Wednesday)

REPORTS (Cont'd)

Report No. 115 - Chief Administrative Officer

9. That, as recommended by the Traffic, Streets and Parking Administrator, the quotation of McGinnis & O'Connor Limited, in the amount of $14,920.00 for the construction of the Springer Memorial parking lot, be accepted, being the lowest quotation received.

(Note: A copy of the Report of the Administrator is attached hereto as Schedule "G" - 1 page)

CARRIED

Respectfully submitted,

R. Hamilton,
Chief Administrative Officer

* * *

Schedule "A" to Report No.115
(Page 1)

NOV 8 19

TO: R. J. Hamilton,
Chief Administrative Officer

FROM: B. G. Cousens,
City Treasurer

DATE: November 8, 1979

SUBJECT: Refund or cancellation of taxes pursuant to Secti
636(a) of the Municipal Act R.S.O. 1970 Chap. 284
file 20.2.

ORIGIN: Application by owner of property, or owner of bus
in case of business tax.

ANALYSIS: Section 636(a) of the Municipal Act gives City Co
the authority to write off taxes for the followin
reasons:

Property has become exempt.
Building was razed by fire or demolished.
Overcharged due to error.
Liable for business tax, but has not carried on
business for the entire year.

ALTERNATIVE: If City Council does not grant the refund or canc
lation of taxes, the applicant is entitled to a h
by City Council, and if not satisfied, may appeal
the Assessment Review Court, County Judge and Ont
Municipal Board.

FINANCIAL CONSIDERATION: On these write-offs, that portion of the tax that
applicable to the school boards, is charged back
the school board. Provision for these refunds or
cancellations has been made in the budget. Those
businesses who have discontinued, and re-located
another area of the city are assessed by the Regi
Assessment Office and are processed through the T
Department and billed for taxes at the new locati
Also any business that moves into an existing or
location are also taxed for that part of the year
they are liable for the tax. All applications fo
refund or cancellation of taxes are referred to t
Regional Assessment Office for approval and follo
prior to being presented to Council.

RECOMMENDATION: That pursuant to Section 636(a) of the Municipal
R.S.O. 1970 Chap. 284, the applications of person
and firms listed in the attached Schedule "A" in
amount of $9,115.40 for cancellation, reduction
or refund of taxes levied for 1979 be approved.

BG Cousens

Schedule "A" to Report No. 115
(Page 2)

Roll Number	Name	Address Appealed	B R C	# of Mos.	General	Garbage	Second. School	Public School	Separate School	Downtown Levy	Penalty	Refunds		Cancellation	
												Public	Separate	Public	Separate
010 120 11000 0010 001M	Trevor Dossett	131 Johnson	B	12	131.81		52.43	60.83			14.70			259.77	
010 130 00900 0010 001E	Yves Bernier	68 Brock	B	4½	56.02		22.27		26.59	14.13	7.14				126.15
010 130 05000 0010 001H	LaSalle Sport	34 Princess	B	5	346.65		137.88	159.95		85.65		730.13			
010 130 06400 0011 001B	Brock Business Agency	343 King E	B	10	28.99		11.53	13.38		5.10	3.54			62.54	
010 130 06500 0060 021G	Cellar Door Antiques	347 King E.	B	4	28.58		11.37	13.19			.53			53.67	
010 130 10900 0020 001E	Jacob, MacPherson	172 Wellington	B	4½	310.90		123.66	143.46		30.96		608.98			
020 060 02900 0030 001K	Planned Mechanical	96 Mack	B	5	129.23		51.40		61.40				242.03		
020 060 11600 0010 001F	R. W. Ryckman	562 Princess	B	12	96.04		38.20		45.64		10.80				190.68
030 030 10500 0020 001B	Marrello Hairstyling	503A Princess	B	12	57.82		23.00	26.69			6.48			113.99	
020 130 07900 0020 001A	Flying Down to Rio	326 Princess	B	4	38.21		15.20	17.63		9.72		80.76			
030 030 10500 0040 001L	Gaudencio Bautista	503A Princess	B	4	20.74		8.25		9.86		2.34				41.19
030 070 11300 0000 000G	Paul Timmers	110 Montreal	R	12	183.26	18.70	77.18	89.56				368.70			
030 080 07900 0010 001K	Les's Barber Shop	32 Montreal	B	5	23.27		9.26	10.74		6.10		49.37			
030 080 09800 0010 001E	Precision Saw Filing	132 Queen	B	12	156.80		62.37	72.37		39.59	19.86			350.99	
030 080 09900 0100 001B	Ronald Onyons	310 Bagot	B	4½	68.71		27.31	31.68		10.48		138.18			
030 090 06900 0050 011G	Peter Scott	11 Princess	B	6	24.26		9.65	11.19			.45			45.55	
030 110 01700 0000 000L	Molly Cohen	410 Bagot (Rear)	R	4½	16.51	1.66	6.93	8.05				33.15			
030 120 08200 0000 000D	S. Anglin Co. Ltd.	Bay St.	C-R	12	151.11		40.09	46.46				237.66			
030 120 08200 0000 000D	S. Anglin Co. Ltd.	Bay St.	C	12	556.40	48.28	221.51	256.91				1083.10			
040 010 18000 0010 001K	PPG Industries Ltd.	361 Montreal	B	10	392.38		156.07	181.10				729.55			
040 010 18000 0020 001B	PPG Industries Ltd.	361 Montreal	B	10	1263.28		502.47	583.06				2348.81			
040 120 07901 0011 001B	June Dodds	254 Weller	B	5½	4.89		1.92	2.25				9.06			
040 120 11100 0010 001D	Mario Martingano	91 Wiley	B	12	17.64		7.02		8.38		1.98				35.02
040 120 14100 0000 000E	Sadie Gray	127 Butler	R	4	78.01	7.95	32.85	38.10				156.91			
050 140 20602 0010 001G	Kingston Humane Society	231 Dalton	B	12	256.76		102.13	118.50			28.62			506.01	
070 090 08000 0000 000C	William Baiden	101 Mowat	R	8	63.85	6.51	26.89	31.20				128.45			
070 090 09700 0010 001K	Tony Overvelde	704 King W	B	6	149.70		59.54		71.12				280.36		
960 102 00900 0560 001A	House of Hide	Princess	B	4	42.36		19.76		16.20		14.04			92.36	
960 102 00900 0561 001F	House of Hide	Princess	B	4	5.68		2.64		2.16		1.80			12.28	
					4,699.86	83.10	1,860.78	1,916.30	241.35	201.73	112.28	6702.81	522.39	1497.16	393.04

1
1979
AUDIT

Schedule "B" to Report No. 115
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Clerk
File No. 17-15

CITY HALL
KINGSTON, O
K7L 2Z3
(613) 546-42

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: M. C. Healy,
City Clerk.

DATE: November 14, 1979

SUBJECT: Print Shop - Equipment - Service Contract July 1 to December 31, 1979 - Mills Office Suppliers Ltd.

ORIGIN:

Receipt of account of Mills Office Suppliers Ltd. for renewal of service contract for July to December, 197 in the amount of $1,380.00.

ANALYSIS:

The service contract for the "1500 System" automatic offset printing press in the basement of City Hall fo the last year or so has been on a six month basis and was last renewed by Council in April of 1979 for the period ending July 1st, 1979, for $1,395.00.

RECOMMENDATION:

That the service contract with Mills Office Suppliers Limited for the 1500 system: 675 copier, Serial #483 369 offset, Serial #228, and 167 Converter, Serial #5 in the amount of $1,380.00 for the period July 1st, 1 January 1st, 1980 be approved. ($2,775 per year).

(*Note: This does not include the collator portion o the system, 1978 Rate was 12 months for $2,45*

Respectfully Submitted,

M. C. Healy

M. C. Healy,
City Clerk.

1858

is

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Clerk

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

File No. 2-1.2
City Solicitor's File No. B-12

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: M. C. Healy,
City Clerk.

DATE: November 13, 1979.

SUBJECT: By-Law No. 122, "A By-Law for the Protection of Children" - REPEAL OF

ORIGIN: Memo from C.A.O., dated November 9, 1979, directing that necessary steps be taken to Repeal By-Law No. 122 as recommended in memo of City Solicitor, dated November 8, 1979.

ANALYSIS:

To repeal a by-law it is necessary for City Council to enact a repealing by-law.

RECOMMENDATION:

That, as recommended by the City Solicitor, a by-law be presented to Council to REPEAL By-Law No. 122, "A By-Law for the Protection of Children".

(Note: A copy of the Report of the City Solicitor is attached hereto as Schedule "A").

Respectfully Submitted,

M. C. Healy,
City Clerk.

/is
Enc.

c.c. N. C. Jackson,
City Solicitor.

Schedule "C" to Report No. 115
(Page 2)

NOV 8 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE City Solicitor

CITY HALL
KINGSTON, ONTAR
K7L 2Z3
(613) 546-4291

Our Ref. No. B-12

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer.

FROM: Norman C. Jackson,
City Solicitor.

DATE: November 8, 1979

RE: BY-LAW 122 - "A BY-LAW FOR THE PROTECTION OF CHILDREN"

By-Law 122 of the City of Kingston was passed on November 25, 1940 and is, in essence, a forerunner of the present Child Welfare Act of the Province of Ontario, R.S.O. 1970, Chapter 64.

In 1978 the Community Services Committee received some correspondence from the Police Department and Family Court dealing with the need to bring this by-law up to da As a result, I was directed by that Committee to draft an Amending By-Law along the lines of The Child Welfare Act so that the by-law would be consistent with that Act, esp ally with respect to age, time of day, fines, and the dealing with children by the Juvenile Court.

I drafted an amendment which did make the by-law consistent with The Child Welfare Act in respect of the above four matters, but expressed my concern to the Commi that there was no specific authority in The Municipal Act for the passing of such a by-law. I did point out that i a convincing need could be demonstrated, the by-law might shelter under the omnibus section, Section 242, of The Municipal Act which permits the passing of by-laws for th health, safety and welfare of inhabitants. I also pointe out that The Child Welfare Act of the Province contained similar provisions to the by-law, and that in other muni-cipalities it was, in fact, The Child Welfare Act that wa being enforced by certain Police Departments. I pointed that the difference between the by-law and The Child Welf Act would be that the by-law would supplement The Child W fare Act in that it would provide a monetary penalty and allow the Judge to otherwise deal with children under the age of 16; whereas The Child Welfare Act provided that only the parents of a child could be fined and that the children would be warned and taken home. I also pointed out that there is not specific authority in The Municipal Act to provide for other than a fine in the by-law, and that the portion conferring jurisdiction on the Family Court and allowing the Judge, as an alternative, to make an Order taking into account the circumstances and need of the child, was without specific enabling authority. It was decided by the Committee and Council to proceed with the by-law and By-Law 9310 was enacted to amend By-Law 122.

This week I was asked to submit a written argument in the case of a juvenile who was charged under The Juvenile Delinquents Act that he did loiter in a public place after 10:00 P.M., contrary to the City by-law, and did, thereby, commit an offence of delinquency contrary to The Juvenile Delinquents Act. Originally the argument upon which I was asked to comment was that the by-law was ultra vires, in that it was passed in the field of criminal law which was the sole jurisdiction of the Parliament of Canada. Secondly, an argument had been raised that loitering should be more specifically defined.

The Crown Attorney, who is responsible for the enforcement of The Juvenile Delinquents Act, appeared on the charge, along with me and several defence counsel for different accused were present. His Honour Judge Naismith dismissed the charge under The Juvenile Delinquents Act based on the evidence, but more importantly, commented that he did not feel the City of Kingston by-law was valid. He upheld the by-law against the objections originally raised and which I had submitted legal argument upon, that is the by-law was not invalid because it was passed in the area of criminal law, since The Criminal Code provided in its offence, in Section 171, for obstruction as well as loitering, and there were several cases presented that showed there was no need to define the word "loiter". However, Judge Naismith was concerned about the similarity between the by-law and The Child Welfare Act, and indicated that the by-law was too closely a repetition of the provisions of The Child Welfare Act. He felt that on the doctrine of paramountcy, that the Province, in passing The Child Welfare Act and specifically Section 43 thereof, had occupied this field. I pointed out that the City was definitely aware of the provisions of The Child Welfare Act and intended to supplement that Act by providing for a penalty against a juvenile when the same was not provided for in The Child Welfare Act. Otherwise, the provisions of the by-law and the Act were similar. This was done so as to avoid a possible conflict between the pro-

...../3

Mr. R. J. Hamilton Re: By-law 122

Page Three

visions of the by-law and the Provincial Statute.

Notwithstanding this, Judge Naismith dismissed the charge under The Juvenile Delinquents Act and maintained his ruling that the by-law was in a field more properly to be dealt with by the Province under The Child Welfare Act. He did comment, however, that the City might be able to legislate in this field if it passed a by-law that was distinguishable from The Child Welfare Act.

It is my feeling that such a by-law might be treat by the courts as being in conflict with The Child Welfare Act if it provided for different times, ages and locations of the offence and, as a result, I would not recommend suc a by-law be enacted. I recommend that By-Law 122 be repea for the following reasons:

(1) If a juvenile is loitering in a public place, this can be dealt with by the Police under the provisions of The Child Welfare Act. The juvenile, if he is in a public place after 10 o'clock at night, unaccompanied by an adult, can be warned by a constable and if the warning is not heeded, he can be taken by the constable to his home and dealt with, or to a place of safety and dealt with as a child apparently in need of protection. This is pursuant to Section 43 of The Child Welfare Act. The Crown Attorney can lay a charge against the parents of such a juvenile under the provisions of The Child Welfare Act. Since The Child Welfare Act has specifically dealt with this situation and not provided for a fine for a juvenile and, instead, has provided for their safe conduct by a Police Officer to a place of safety, and has provided for a fine against the parents of the juvenile, I would suggest that this is the penalty envisaged by the Legislature of Ontario and the City should not provide the additional penalty set out in By-law 122 without specific enabling authority from the Province in The Municipal Act. This authority does not exist at the present time. The Police should be left to enforce the provisions of The Child Welfare Act which will allow them to remove juveniles who are loitering and take them to places of safety.

(2) The existing provisions of The Juvenile Delinquents Act of the Revised Statutes of

...../3

Canada, Chapter J-3 provides that "a juvenile delinquent is a child who violates any provisions of The Criminal Code, any federal of provincial statute or any by-law". The Juvenile Delinquents Act, as pointed out by Judge Naismith, is being repealed and The Young Offenders' Act is being considered by the Parliament of Canada. It is my understanding that this Act will remove the term "by-law" from the term "Juvenile Delinquent", so that a juvenile who does contravene a by-law will not be in contravention of the new federal statute. This reinforces my feeling that the City should not be legislating in this field without being given the specific enabling authority by either the Province, in The Municipal Act, or by the federal government in the new federal statute, The Young Offenders' Act.

Again, it is my recommendation that By-Law 122 of the City of Kingston be repealed, keeping in mind that the Police Department can enforce the provisions of Section 43 of The Child Welfare Act in dealing with loitering by juveniles.

NCJ:dg

Norman C. Jackson,
City Solicitor.

c.c. to: Police Chief Rice

Schedule "D" to Report No. 115
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARI
K7L 2Z3
(613) 546-4291

Our Ref. No. 17-2.1

November 14, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: CORRECTION OF HEATING DEFICIENCY - XEROX BUILDING

We are forwarding herewith a report from Mr. D. Fluhrer, Commissioner of Parks and Recreation dealing wi the problem the City is experiencing in the area present leased to Xerox people at the Olympic Harbour site.

Council will note that Mr. Fluhrer is hoping to undertake this work at once, whereby he will absorb $6,0 of the estimated $8,100 . from his Playground Budget. However, he will require an additional $2,100 . from Fina Contingencies if we wish to finalize these matters as quickly as possible.

The lease we have with Xerox pays to the City approximately $25,000. a year and as such we cannot afford to continue to not provide the best possible supp of heat to keep this tenant satisfied.

We would therefore recommend that we undertake th work immediately and it is interesting to note that loca people and department staff will be the bulk of the labo required in this project.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

MEMORANDUM

TO: R. J. Hamilton, Chief Administrative Officer.

FROM: Douglas R. Fluhrer, Commissioner,
Parks & Recreation Department.

DATE: November 14, 1979.

SUBJECT: CORRECTION OF HEATING DEFICIENCY IN THE XEROX & SURROUND AREAS OF OLYMPIC SITE - BUDGET TRANSFERS

ORIGIN: Last winter, 1978-79, was the first year Xerox spent at the Site and they experienced below acceptable room temperatures during low temperature days in January and February and cannot put up with this situation again. Since last spring, the Department has attempted to find the root cause of the problem, to no avail.

ANALYSIS: The problem in finding a solution has been to get consistent opinions as to the cause. Finally, late last summer, with Council's concurrence, we engaged the services of an engineering firm to give us an independent report, along with recommendati and budget costs for corrective action. We now have this report and are ready to proceed with the correcti measures which, first of all, require financial fundin

ALTERNATIVE: Improve temperature conditions or face losing Xerox as tenants. Further, we will continue to waste heat which is not being sufficiently directed and contained which, of course, adds to the energy costs. As a matter of record, the Xerox lease pays to the City of Kingston approximately $25,000. per annum and has a five plus five-year renewable duration.

FINANCIAL CONSIDERATIONS: It is estimated that the corrective measures will cost approximately $8,100. broken down as follows:

Insulation & Labour - Roof area over Xerox - Fire wall areas of Xerox	$5,500.
Timer & Switch, Vent, Reheat unit	500.
Relocate Glass Doors	400.
Miscellaneous materials (caulking, etc.)	500.
Consulting Fees	1,200.
	$8,100.

.....Cont'd.

Schedule "D" to Report No. 115
(Page 3)

FINANCIAL CONSIDERATIONS: (Cont'd.) All of the work will be done by local people and in bulk by the Department staff.

RECOMMENDATION: It is recommended that we proceed as outlined in L. J. Tremblay's report and that the following budget transfers be approved to accommodate the costs involved:

Decrease	-	Parks & Recreation Playground Budget	-	423-40	-	$6,
Increase	-	Portsmouth Olympic Harbour	-	329-66	-	$6,
Decrease	-	Finance Contingencies			-	$2,
Increase	-	Portsmouth Olympic Harbour	-	329-66	-	$2,

Douglas R. Fluhrer,
Commissioner.

DRF/sw

Schedule "E" to Report No. 115
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 20-5.3

November 14, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: ONTARIO DENTAL ASSOCIATION AGREEMENT

We are forwarding herewith a report from Mr. Routbard, Social Services Administrator, re the Ontario Dental Association Agreement.

The Community Services Committee directed Mr. Routbard to negotiate and prepare to enter into an agreement with the said Association for the year 1980.

We would therefore recommend that Council endorse and direct that the City and the Dental Association enter into the said agreement.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

NOV 13 1979

memorandum

Department of Social Servi
City of Kingston

TO: Mr. R.J. Hamilton
C.A.O.

DATE: Nov. 12, 1979

FROM: S.H. Routbard
Administrator

SUBJECT: ONTARIO DENTAL ASSOCIATION AGREEMENT

ORIGIN: The Corporation of the City of Kingston has had annual dental agreements with the association since 1969. During the year 1979 there was no agreement in favour of a trial period without one.

ANALYSIS: We found that the agreement system is more efficient and easier to manage. Control of dental costs are administered by the association.

EXISTING POLICY:

At present dental service costs and type of work to be done is approved by the department and this service is billed directly from the dentist to City Hall. With an agreement, costs and type of service is already outlined on a schedule.

FINANCIAL: There would be no variance in costs due to a 'schedule of fee' control and approval must still be given by the department by issuance of a dental card. All billing is handled by the Dental Association on behalf of the individual dentist. Payment is then made by the City to the association for proper distribution.

These funds are within our annual budget.

RECOMMENDATIONS:

I would recommend the Corporation enter into an agreement with the Ontario Dental Association for the year 1980.

The draft agreement has been reviewed by the City Solicitor and appears to be in order.

S.H. Routbard,
Administrator.

SHR:kr

Schedule "F" to Report No. 115
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 25-2

November 14, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE: PROPERTIES LOCATED IN OUR INDUSTRIAL PARK

The properties located in our Industrial Park have been reviewed as requested by Council, to ascertain whether or not the percentage of floor area used for retail purposes in in excess of the amount allowed by our by-law which is 25%.

In order to assist Council, we are attaching the following schedules dealing with this matter:

(1) Schedule A indicates the names and addresses of each property contained in the park as well as the information concerning starting date uses, etc.

(2) Schedule B sets out the six properties that have been analysed to determine what percentage of floor area is used for retail space.

(3) Schedule C sets out the actual percentage as determined by our Building Inspection Department.

Finally, we are enclosing a copy of the Minutes of a Meeting held on November 14th to determine the action that can be taken dealing with this situation. Council will take note that the businesses at 41-45 Counter Street, operated by Charles Smith, are slightly over the limited 25%. However, Mr. Muirhead indicated that an application to the Committee of Adjustment would correct this situation at this time.

...2/

Schedule "F" to Report No. 115
(Page 2)

The other two properties, namely United Co-op and Glen Supply Co. Ltd. are dealt with in our minutes and it is suggested and recommended that these two be spot zoned at this time to allow for any future extensio that they may have. It should further be noted that the two are legally non-conforming at this time.

We therefore would suggest that Council adopt th report and that Administration take the recommendation a set out in the attached minutes.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "F" to Report No. 115
Page 3

LOCATION	BUSINESS	ZONE	NATURE OF USE	EXTENT OF USE	STARTING DATE OF EXISTING USE	APPLICATION FOR ZONE CHANGE
33 Counter	Top Notch Feeds	M1.89	Feedmill	Feedmill and Wholesale & Retail Sales	1961	have not applied for zone change
41 Counter	Patte's Paint & Wallpaper	M2.92	Paint, Paper & Accessory Supplier	Wholesale & Retail Paint & Paper Sales	May 1, 1974	have not applied for zone change
41 Counter	Vacant Space	M2				
45 Counter	Smith Building Systems	M2	Design & Building Contractors	Design & Building Contractors	1970	have not applied for zone change
45 Counter	Purolator Courier Ltd.	M2 Sec. 25.2(c)ix	Parcel Delivery	Parcel Delivery	July , 1971	Not Required
45 Counter	Kingston Heading Service Limited	M2 Sec. 25.2(c)ii	Tool & Dye Manufacturing	Tool & Dye Manufacturing	Oct. 1973	Not Required
45 Counter	Kingston Aluminum Boat works	M2 Sec. 25.2(c)ii	Boat Manufacturing	Boat Manufacturing	1979	Not Required
59 Counter	Brownlee Cartage Company Limited	M2 Sec. 25.2(c)xiii	Trucking & Freighting Terminal	Trucking & Freighting Terminal	1965	Not Required
93 Counter	United Co-Op of Ontario	M1.89	Feedmill	Feedmill & Retail Sales	1955 - 1956	have not applied for zone change
121 Counter	Mastercraft Printing & Graphics	M2 Sec. 25.2(c)xvi	Printing & Publishing	Printing & Publishing	1974	Not Required
149 Counter	Glen Supply Co. Ltd.	M3 Sec. 26.2(c)v	Builders Supply & Storage Yard	Same and Retail Sale of Building Materials	1956	have not applied for zone change

Schedule "Y" to Report No. 115

SCHEDULE "A" - Page 2

LOCATION	*BUSINESS*	*ZONE*	*NATURE OF USE*	*EXTENT OF USE*	*STARTING DATE OF EXISTING USE*	*APPLICATION FOR ZONE CHANGE*
175 Counter	*Taggart Service Limited*	*M3 Sec. 26.2(c)i*	*Trucking & Freigting Terminal*	*Trucking & Freighting Terminal*	*1955 - 1956*	*Not Required*
325 Counter	*Kingston Iron & Metal Works*	*M3.96*	*Scrap Metal Yard, Sec. 96 of By-Law 8499 page 97.*	*Scrap Metal Yard, Sec. 96 of By-Law 8499 page 97.*	*1975*	*Not Required*
355 Counter	*Department of Transportation & Communications*	*M3 Sec. 5.1C*	*Transportation and Communications*	*Transportation and Communications*	*1957*	*Not Required*
211 Counter	*Public Utilities Commission*	*M3 Sec. 5.1C*	*Transportation and Communications*	*Transportation and Communications*	*1971*	*Not Required*
Counter	*Nedco* *Division of Westburne*	*M3*	*Wholesale Electrical Supplies & Equipment*	*Wholesale Electrical Supplies & Equipment*	*1976*	*Not Required*
Counter	*Kingston Spinners*	*M3*	*Warehouse*	*Warehouse*	*1977*	*Not Required*
Counter	*Comfort Clothing Service*	*M3 Sec. 26.2(c)i*	*Manufacturer of Clothing*	*Manufacturer of Clothing*	*1977*	*Not Required*
Counter	*Industrial Supply House*	*M3 Sec. 26.2(c)xxiv*	*Wholesale & Warehouse Storage*	*Wholesale & Warehouse Storage*	*1977*	*Not Required*
407 Counter	*J.T. Donald Consultants Limited*	*M3 Sec.*	*Lab for Testing Cement*	*Lab for Testing Cement*	*1978*	*Not Required*
Counter	*Pitney Bowes*	*M3 Sec. 26.2(c)i*	*Retail Sales of Photo Copiers & Postage Machines*	*Retail Sales of Photo Copiers & Postage Machines*	*1977*	*not applied for zone change*
41 Counter	*Rideau Glass*	*M3*	*Wholesale & Retail Glass Supplies*	*Wholesale & Retail Glass Supplies*	*OUT OF BUSINESS JULY 1979*	

Schedule "F" to Report No. 115
Page 5

LOCATION	BUSINESS	ZONE	NATURE OF USE	EXTENT OF USE	STARTING DATE OF EXISTING USE	APPLICATION FOR ZONE CHANGE
551 Counter	Cataraqui Distribution	M1	Trucking & Freighting Terminal Office	Trucking & Freighting Terminal Office (ERECTED PRIOR TO ANNEXATION - FORMERLY BROOKSIDE DAIRY)	Nov. 1972	Not Required
551 Counter	Chapman Pump Clinic	M1	Pump Sales & Repairs	Pump Sales & Repairs (ERECTED PRIOR TO ANNEXATION - FORMERLY BROOKSIDE DAIRY)	1961	Not Required
571 Counter	Dwelling Unit	M1	Dwelling	Dwelling (ERECTED PRIOR TO ANNEXATION)		
705 Counter	Edwards Body Shop	M2 Sec. 25.2 (c) vi	Assembling, Painting, Rebuilding & reconditioning of automobiles	Assembling, Painting, Rebuilding & reconditioning of automobiles	1956	Not Required
699 Counter	Wards Towing Service	M2	Compound for Storage of Automobiles	Compound for Storage of Automobiles (FORMERLY PART OF COMPOUND USED BY EDWARDS BODY SHOP)	1967	Not Required

SCHEDULE "B"

A LIST OF THE BUSINESSES WHICH ARE ILLEGAL AND WHO HAVE TO APPLY FOR A ZONE CHANGE ARE AS FOLLOWS:

LOCATION	BUSINESS	ZONE	NATURE OF USE	EXTENT OF USE	STARTING DATE OF EXISTING USE	APPLICATION FOR ZONE CHANGE
33 Counter	Top Notch Feeds	M1.89	Feedmill	Feedmill & Wholesale and Retail Sales	1961	
41 Counter	Patte's Paint & Wallpaper	M2.92	Paint, Paper & Accessory Supplier	Wholesale & Retail Paint and paper sales	May 1, 1974	
45 Counter	Smith Building Systems Ltd.	M2	Design & Building Contractors	Design & Building Contractors	1970	
93 Counter	United Co-Op of Ontario	ml.89	Feedmill	Feedmill & Retail Sales	1955 - 1956	
149 Counter	Glen Supply Company Ltd	M3 Sec. 26.2(c)v	Builders Supply & Storage Yard	Same & Retail Sale of Building Materials	1956	
Counter	Pitney Bowes	M3 Sec. 26.2(c)i	Retail Sales of Photo Copiers & Postage Machines	Retail Sales of Photo Copiers & Postage Machines	1977	

Schedule "F" to Report No. 115
Page 7

PERCENTAGE OF FLOOR AREA USED FOR RETAIL FOR THE INDUSTRIAL PROPERTIES ON COUNTER STREET

LOCATION	BUSINESS	FLOOR AREA	EXTENT OF USE	% OF FLOOR AREA USED FOR RETAIL
33 Counter	Top Notch Feeds		Feedmill and Wholesale and Retail Sales	15 - 20%
41 - 45 Counter	Charles Smith	20,880 sq. ft.	Pattes 1,200 of 4,827 sq. ft. used for Retail	27.8%
			Building Systems by Smith 4,623 sq. ft. for Retail out of 16.053	28.7%
93 Counter	United Co-op		Feedmill and Retail Sales	40%
149 Counter	Glen Supply Co. Ltd.	(Don McCulloch)	Builders Supply & Storage Yard as well as Retail Sales	100%
407 Counter	McAdoos	35,000 sq. ft. out of a proposed 88,000 sq. ft.	Pitney Bowes 2,000 of 6,000 used for Retail	5.7%

THREE ZONING BY-LAWS HAVE CONTROLLED THIS AREA, BEING BY-LAW 2082 AND 3078 AND 8499

NEITHER OF THESE PERMITTED A RETAIL USE.

MEETING - NOVEMBER 14th, 1979

A meeting was held at 9:30 A.M. in the Frontenac Room with the following persons present:

Mr. R.J. Hamilton, C.A.O.
Mr. G.G. Muirhead, Director of Planning
Mr. N.C. Jackson, City Solicitor
Mr. R. Ruttan, Chief Building Official

The meeting was held to discuss Industrial Properties on Counter Street and the floor area that was being used fo retail.

The following items were discussed:

(1) The six properties shown indicate that four properties are using a larger floor area than the 25% level agreed to by Council By-Law.

(2) The properties of Charles Smith are in excess of the by-law, however, the small variance can be covered by the Committee of Adjustment.

(3) The remaining two business areas that exceed the 25% are:

(a) United Co-operative - 40% - started 1955-5

(b) Glen Supply Co. Ltd.- 100% - started 1956

When these businesses started, they would have been per mitted an occupancy use under the existing By-Law at that time. These businesses were legally conforming in 1956.

By-Law 2082 and 3078 allowed building supplies and stor yards in the area.

However, By-Law 8499 eliminated accessory uses as was previously allowed in the former by-laws.

The new By-Law 79-138, allowed wholesale businesses an accessory uses not to exceed 25% of total floor area.

These two businesses are in fact legally non-conformin at this time. If these last two businesses wish to ex in future, they must be spot zoned at this time.

RJH/sd

R.J. Hamilton,
C.A.O.

Schedule "G" to Report No. 115
(Page 1)

REPORT TO: Mr. R. J. Hamilton, Chief Administrative Officer.

FROM: K. G. Linseman, Administrator,
Traffic, Streets and Parking Department.

DATE: November 16th, 1979.

SUBJECT Springer Memorial Parking Lot - Paving

ORIGIN Traffic and Streets Department

ANALYSIS

1) Three quotations were received as follows:

McGinnis & O'Connor Limited	$14,920.00
Will-Mac Construction	17,000.00
Bennett Paving Limited	23,000.00

2) The lowest quotation from McGinnis & O'Connor Limited is below cost estimate. McGinnis & O'Connor performance was very satisfactory on the Gorsline parking lot expansion.

3) McGinnis & O'Connor can commence work immediately and be completed within one week.

4) Will-Mac Construction and Bennett Paving Ltd. cannot promise completion this year.

5) The Director of Purchasing agrees that the City accept the lowest quotation received.

6) The Springer Memorial parking lot will be operating by the end of the first week of December for the Christmas shopping rush.

EXISTING POLICY The lowest quotation is accepted unless there is reason for doing otherwise.

FINANCIAL CONSIDERATIONS The lowest quotation at $14,920.00 is well within estimates for the scope of work involved.

RECOMMENDATION That the quotation of McGinnis & O'Connor Limited, in the amount of $14,920.00 for the construction of the Springer Memorial parking lot, be accepted, being the lowest quotation received.

K G Linseman

:lk

K. G. Linseman, P.Eng., M.Sc.,
Administrator.

Moved by Ald. Miller,
Seconded by Ald. Webb,

That, in accordance with Rule 16 of By-Law No. 1, permission be given to continue the City Council Meeting after 11:00 p.m. until completion of the Agenda.

CARRIED

REPORT OF THE COMMITTEE OF THE WHOLE

Moved by Ald. Gerretsen,
Seconded by Ald. Clements,

That Clause 8, Report No. 115 of the Committee of the Whole Report be amen to delete the words "first" and "each" and substitute therefor the words, "fifth" and "a" so that it reads:

> "That City Council will hold a special meeting the fifth Wednesday of a month with Department Heads for the purpose of exchanging information regarding planning, budgeting, personnel matters, etc."

CARRIED 9:3

(C) Moved by Ald. Clark,
Seconded by Ald. Gorham,

That the Report of the Committee of the Whole, as amended, be adopted, approved and confirmed.

CARRIED

MOTIONS

(1) Moved by Ald. Matthews,
Seconded by Ald. Webb,

That the sympathy of Council be extended to the family of the late Raymond McGlynn.

CARRIED

(2) Moved by Ald. Webb,
Seconded by Ald. Timmins,

That the sympathy of Council be extended to the family of the late Daniel Lacey.

CARRIED

(3) Moved by Ald. Matthews,
Seconded by Ald. Webb,

That the congratulations of Council be extended to Mr. & Mrs. Leo Timmi on the occasion of their 50th Wedding Anniversary, November 19, 1979.

CARRIED

(4) Moved by Ald. Gerretsen,
Seconded by Ald. Clark,

That sufficient funds be expended to provide Mr. Hamilton with a microph of his own at his table for the next meeting of Council.

CARRIED

MOTIONS (Cont'd)

(5) Moved by Ald. Gorham,
Seconded by Ald. Clark,

That all members of Council be invited to join and participate in the joint meeting to be held on November 28, 1979 with the developers for the Downtown Redevelopment.

CARRIED

(6) Moved by Ald. Knapp,
Seconded by Ald. Gerretsen,

That the Notice of Motion presented by Ald. Knapp and Ald. Gerretsen at the last meeting of Council be amended to delete the words, "that Kingston be proclaimed 'Canada's Research Centre'" and substitute therefore the words, "that Kingston be proclaimed the research capital of Canada".

CARRIED

NOTICE OF MOTION

(1) Moved by Ald. Knapp,
Seconded by Ald. Matthews,

THAT WHEREAS the amount of information being generated with respect to any given topic concerning the operation of the City of Kingston, is increasing at an accelerating rate,

THAT WHEREAS the City of Kingston is rapidly reaching the point where proper analysis of the available information is adversely affected by the limited time available to screen that information,

THAT WHEREAS it is becoming increasingly necessary to restrict the information that is disseminated,

THAT WHEREAS any process through which information is "selected" from distribution is subject to misuse, e.g., selected and exceptional information supporting a given position,

THAT WHEREAS it is advisable to have all information available though not necessarily distributed in hard copy form,

THAT WHEREAS current technology is such that information, abstracted or otherwise, can be readily stored and retrieved through the use of computers,

THAT WHEREAS higher level government bodies and major industry have recognized the advantages of computer usage,

THEREFORE BE IT RESOLVED that the City of Kingston acquire the necessary advice and recommendations for the purpose of computerizing data storage and retrieval,

AND FURTHER that information be obtained with respect to additional usage of computer facilities with emphasis placed on practical applications, e.g., energy conservation through monitoring and control of heating and air conditioning.

(Note: At the request of Ald. Knapp, a copy of an article entitled, "Computers - The Plain Truth" is being distributed to all members of Council)

REFERRED TO THE CHIEF ADMINISTRATIVE OFFICER

BYLAWS

(A) Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That By-Law Nos. 1 to 6 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law Nos. 2 to 6 their Third Reading.

CARRIED
Ald. Knapp opposed

(C) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That By-Law Nos. 2 to 6 be given their Third Reading.

CARRIED

(1) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of the City of Kingston" (Rezone Properties located at 257/9 Queen Street, 73/75 Bay Street, 442 Bagot Street, 424 Bagot Street, 212 Montreal Street, 68/70 Raglan Road, 61/3 John Street, 330 Division Street re: Neighbourhood Stores)

(FIRST AND SECOND READINGS) (PROPOSED NO. 79-263)
(*Clause 6, Report No. 113*).

(2) A By-Law to Amend By-Law No. 79-159, "A By-Law to Designate the City of Kingston as a Site Plan Control Area" (Revision of Section 2)

(THREE READINGS) (PROPOSED NO. 79-264)
(*Clause 5, Report No. 113*).

(3) A By-Law to Establish a Site Plan Control Procedure and to Establish the Composition and Duties of the Site Plan Control Committee

(THREE READINGS) (PROPOSED NO. 79-265)
(*Clause 5, Report No. 113*).

(4) A By-Law to amend By-Law No. 4759, "A By-Law Concerning the Board of Management for the Grand Theatre Community Centre" (Increase Board Membership to Ten)

(THREE READINGS) (PROPOSED NO. 79-266)
(*Clause 1, Report No. 114*).

BYLAWS (Cont'd)

(5) A By-Law to Repeal By-Law No. 122, "A By-Law for the Protection of Children"

(THREE READINGS) (PROPOSED NO. 79-267)
(Clause 3, Report No. 115).

(6) A By-Law to Confirm the Proceedings of Council at Its Meeting Held on November 19th 1979.

(THREE READINGS) (PROPOSED NO. 79-268)
City Council Meeting No. 46, 1979.

* * *

UNFINISHED BUSINESS

Mayor Keyes reported to Council that at this hour, the results of the two by-elections being held were as follows: in Newfoundland, the Liberals had been elected; in Prince Albert, Saskatchewan, the New Democratic Party was leading.

Ald. Webb asked what had happened about the boat moored at the causeway.

Mayor Keyes said he had passed along the comments of Council to the Harbourmaster, who had informed him that this boat was being refitted in order to make its way through the Seaway. The Mayor had indicated to the Harbourmaster his hopes that this would be completed before shipping stopped for the winter.

Ald. Webb said he apologised to Ald. Timmins for moving the microphone and had assured him this would not happen again.

Ald. Timmins said he had received advice from the City Solicitor regarding a plan which had been initiated in Toronto whereby a discount on heating oil was provided for senior citizens. He hoped this could be passed along to the senior citizens groups in Kingston.

Ald. Miller thanked Mayor Keyes for explaining certain items on the agenda. She felt this was a great help to anyone watching on television, who would not be able to follow discussion without an agenda.

Mayor Keyes said that a new T.V. microphone system was now in operation in the Council Chamber, which should improve the sound for television. He asked that in future, Department Heads also stand when answering questions, so that the microphones could be properly activated.

Mayor Keyes noted that a new art gallery was opening at 629 Division Street on November 21st at 10 a.m., and he hoped some members of Council might be able to attend.

Ald. Clark recalled that comments had been made earlier in the evening with regard to the functions of the Downtown Core Committee. He stressed the fact that the members of Council wished to have as much information as possible with regard to downtown redevelopment. The Downtown Core Committe had been working very hard and thre seemed to be a question as to its role now. Was it the idea that this Committee would make recommendations to the Mayor on downtown redevelopment?

Mayor Keyes said that his understanding was that the Committee would make recommendations to Council and this was what they had been set up to do. He would still like to see them make such recommendations.

UNFINISHED BUSINESS (Cont'd)

Mayor Keyes said that an invitation had been received from the Mayor of Boucherville, Kingston's twin city, to attend the unveiling of a statue of Pierre Boucher on December 8th. He would not be able to attend himself, b hoped other members of Council would be able to go. A dinner would also b held that evening. Spouses were also invited.

Ald. Clark said that this conflicted with the City Hall Staff Association Christmas dinner and dance, to be held also on December 8th.

There was some discussion about whether or not Council should recess to continue discussion of "in camera" items, or whether Council should adjour Ald. Miller said she hoped her notice of motion with respect to procedures in caucus could be dealt with before the Caucus meeting, due to take place on November 26th. It was agreed to continue discussion of "in camera" ite after Council recessed.

Ald. Tarnowecky said that since there was no longer a Finance Committee, t Mayor should be present at caucus, and that it was essential he take part this process.

Ald. Gerretsen said he agreed with this point and hoped caucus would decid that the Mayor be present. He also pointed out that in past years, a whol evening had been devoted to the caucus procedure, and felt it was somewhat unrealistic to expect this to be dealt with in one hour prior to the next Council meeting. He hoped some arrangement could be reached to facilitate this.

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole "In Camera" to consider certain items, with Ald. Gerretsen in the Chair.

CARRIED

"IN CAMERA" (Continued)

COMMITTEE OF THE WHOLE "IN CAMERA"

(Loyalist Room)

ROLL CALL

Ald. Gerretsen (Chairman), Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Hawk Ald. Knapp, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (left at 12:05 a.m.) (12)

REPORT OF THE COMMITTEE OF THE WHOLE

(B) Moved by Ald. Gerretsen,
Seconded by Ald. Hawkins,

That Council rise from the Committee of the Whole and the Chairman Report.

CARRIED

Ald. Gerretsen reported that the following motions were passed in the Commi of the Whole:

Ald. McArthur declared a conflict of interest in the following matter as his sister is a part time nurse at Rideaucrest.

(1) Moved by Ald. Tarnowecky,
Seconded by Ald. Bishop,

That, as recommended by the Director of Personnel, the agreement with the Ontario Nurses' Association (for full time and part-time nurses at Rideaucrest Home) for the period January 1, 1980 to December 31, 1980, in accordance with the Memorandum of Agreement dated November 7, 1979 be approved,

- and -

That the Mayor and City Clerk be authorized to execute the amending agreement.

CARRIED
Ald. McArthur abstained from voting

(Note: Copy of Memorandum was distributed to all members of Council)

(2) Moved by Mayor Keyes,
Seconded by Ald. Hawkins,

That the Proctor & Redfern Group, Consulting Engineers, Toronto, be authorized, at a cost not to exceed $5,000.00, to prepare two alternate designs of the portion of the Clyde Farm Industrial Park lying between Counter Street and the CNR mainline tracks based on the following principles:

i) that an allowance will be made for extension of Sir John A. Macdonald Boulevard from Counter Street to Highway 401;

ii) that the resulting industrial lots may vary from an area of one acre to five acres;

iii) that subject to rezoning and Official Plan amendment, there will be a quasi-commercial area along the entire north side of Counter Street which would have either:

a) no access directly to Counter Street;

or

b) one access point to Counter Street from a service road;

iv) that the designs will include suggestions for utilization of flood plain lands; and

v) that there would also be supplied preliminary design sketches for the area north of the CNR mainline tracks which would include proposed location of westerly extension of Dalton Avenue;

- and -

That the Proctor & Redfern Group be requested to submit an estimate of the cost of a full investigation and study of the entire Clyde Farm Industrial Park,

- and further -

That the following budget appropriation amendment be approved:

(2) (Cont'd)

	Increase	Decrease
Industrial Commission		
Consulting Services *(New Account)*	$5,000.	-
Contributions from Current Revenue *(Note: $2,000. of which was previously allocated for Industrial Concept Plan)*	-	$5,000.

CARRIED 8:3

* * *

(C) Moved by Ald. Knapp,
Seconded by Ald. Matthews,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

ADJOURNMENT

Moved by Ald. Tarnowecky,
Seconded by Ald. Timmins,

That Council do now adjourn.

CARRIED

Council adjourned at 12:50 a.m. November 20, 1979.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

QUEEN'S UNIVERSITY LIBRARY
DOCUMENTS DEPARTMENT
DEC 5 1979

CITY COUNCIL MEETING NO. 47

The Regular Meeting of City Council will be held on Monday, November 26, 1979 commencing with an "In Camera" session from 7:00 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and to be continued in the Council Chamber at 8:00 p.m.

(Loyalist Room)

ROLL CALL

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

(Council Chamber)

ROLL CALL

(B) That Council rise from the Committee of the Whole and the Chairman report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the report of the Committee of the Whole be adopted, approved and confirmed.

MINUTES

That the Minutes of Meeting No. 45 held on November 12, 1979 be confirmed.

COMMUNICATIONS

Which has been Referred to CAJCUS

(673) From Mr. John T. McKenzie announcing his resignation as a planning board member from the City Planning Board, effective November 30, 1979 and commenting that he considers it a privilege to have been able to serve on this committee.

File No. 17-4

To be Referred to the Chief Administrative Officer

(674) From the District Chamber of Commerce informing the City that at a recent meeting of representatives of the Social Planning Council, the Library, Queen's Legal Aid, the Senior Citizen's Council and the Chamber of Commerce it was agreed to try to establish a Consumer Information Service supported by all the municipalities in the Kingston area with the City's share of the $2,000. total budget to be $867.00.
(Note: Copy of above letter has been distributed to all members of Council)

File No. 3-18

COMMUNICATIONS (Cont'd)

To be Referred to the Industrial Commissioner

(675) From the Ministry of Treasury & Economics forwarding a report entitled, "Eastern Ontario, Statistical Profile". The statistical tables contained in this report deal mainly with population distribution and characteristics, with some data on agriculture, income, labour force and manufacturing. The information provided should serve as a convenient source of data for any studies that the City might undertake involving this region.

File No. 9-1.1

To be Filed

(676) Copy of a letter from the Liquor Licence Board of Ontario to Mr. Jose Melo at the Ambassador Hotel, 1550 Princess Street, Kingston, advising that a public meeting of The Liquor Licence Board of Ontario will be held on Monday, December 10, 1979 at 10:00 a.m. at the Royal Canadian Legion Hall, 261 Ontario Street, Kingston, at which time Mr. Melo's application for additional dining lounge facilities will be considered.

File No. 12-6

To be Referred to the Director of Planning & Urban Renewal

(677) From the Ministry of Housing forwarding a report entitled "Urban Development Standards: A Detailed User Survey" which reviews rather thoroughly innovative development standards which are currently being used by municipalities in Ontario. This study was undertaken in 1978 in response to several requests, mainly by municipalities, for further information on actual subdivision developments employing reduced and innovative design standards similar to those proposed in "Urban Development Standards - A Demonstration of the Potential for Reducing Costs", which the Ministry published in April 1976.

File No. 22-2.1

COMMITTEE OF THE WHOLE

(A) That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

REPORTS

That Report No. 116 of the Chief Administrative Officer be received and considered.

REPORT NO. 116

November 26, 1979

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the City Solicitor, a by-law be presented to Council to dedicate the following one foot reserves as part of the abutting streets:

    a) at south end of Casterton Avenue, as shown on Registered Plan 1158, as part of Casterton Avenue;

    b) at the south end of Dedrick Drive, as shown on Registered Plan 1158, as part of Dedrick Drive;

    c) between Lot 33 and the north-east corner of Lot 34, as shown on Registered Plan 653, as part of Watts Crescent; and,

    d) on the westerly side of Queen Mary Road, being Part of Farm Lot 16, Concession 2, from 290.64 feet north of Bath Road northerly 300 feet, as part of Queen Mary Road.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "A" - 3 pages)

(See By-Law 1: No. 79- 269)

2. That, as recommended by the Chief Administrative Officer and the City Treasurer, the following resolution of the City of Windsor be ENDORSED:

"1174/79 WHEREAS the Minister of Revenue has decided to discontinue the use of complete and comprehensive property descriptions and in due course will also eliminate the depth of properties from the assessment rolls which are prepared by the Regional Assessment Office for distribution to municipalities annually;

AND WHEREAS the following major procedures undertaken by municipalities involving the examination of the assessment rolls require that detailed property descriptions be available.

(a) preparation of property lists used by City Departments in connection with zoning amendments, street and alley closings, Committee of Adjustment applications, improvement areas, local improvement assessments;

(b) the calculation of local improvement assessments which are determined on the basis of property dimensions;

(c) responding to requests received from the public including real estate offices, lawyers, building contractors, investment firms, banks, as well as all municipal departments;

(d) establish new polling subdivision boundaries for municipal election purposes;

(e) determine ownership and property dimensions for weed cutting charges;

(f) to ascertain the existence or otherwise of alley or street allowances;

2. (Cont'd)

(g) preparation of petitions for local improvements;

(h) preparation of petitions for street and alley closings;

AND WHEREAS the only alternative to municipalities is that they prepare mylar plans which would contain the dimensions for each property in the municipality which would have to be cross-referenced to the assessment rolls;

AND WHEREAS the preparation and up-dating of these plans by all municipalities would entail a considerable amount of work and in many instances additional staff would be required;

AND WHEREAS all information has in the past been available from the assessment roll and in the future will require an examination of both the assessment roll and the plan prepared by the municipality;

AND WHEREAS the additional cost to the municipality to gather and up-date this information does not appear to be justified when it is now available at the Regional Assessment Office but not printed on the assessment rolls;

THEREFORE BE IT RESOLVED that the Minister of Revenue be asked to reconsider his Ministry's decision to discontinue the printing of complete and comprehensive property descriptions on the assessment rolls in view of the additional cost and inconvenience this would cause to all municipalities/

3. That, as recommended by the Fire Chief, the quotation of Canadian Motorola Limited for the supply of a new Base Radio Station for the Brock Street Fire Station in the amount of $7,420.00, being the lowest acceptable quotation, be accepted,

- and -

That the following budget appropriation amendment be approved in order to provide balance of funds required:

	Increase	Decrease
FIRE DEPARTMENT		
Purchase of Equipment (A/C 33-41)	$2,500.	-
Maintenance of Auto Equipment	-	$2,500.

(Note: A copy of the Fire Chief's Report is attached as Schedule "B" - 3 pages)

4. That, since the Commissioner of Works does not recommend endorsement of the resolution of The Regional Municipality of Waterloo for the following reasons:

   a) Under the revised Act of Pits & Quarries, the section under "The Industrial Minerals" should only become effective under 13(2) or 16 after the procedure detailed in 12 has been followed;

   b) Our small undeveloped area makes the potential for problems remote,

   the following resolution of The Regional Municipality of Waterloo be FILED:

   "That the Minister of Natural Resources be requested to delay second reading of Bill 127, an Act to Revise the Pits and Quarries Control Act, 1971, until such time as the Regulations to be made under this Act are circulated to Ontario municipalities with 60 days to comment;

   And further, that it be written into the Act that any Regulations which may, from time to time, be promulgated under this Act, be circulated to Ontario municipalities with 60 days to comment."

5. That, as recommended by the Commissioner of Works, the execution of an amending agreement with Irving Rosen, Kingston Iron and Metal Limited and Kimco Steel Sales Limited is hereby authorized to provide for the deletion of Clause 9 of the original agreement, dated May 22, 1974, and the substitution therefor of the following:

   "9. Subject to a sanitary sewer in Counter Street from the outlet to the KIMCO connection and the outlet sanitary sewer from Counter Street to Lappan's Lane receiving the approval of the Ontario Municipal Board, the City agrees to commute the portion of the assessment for the sanitary sewer in Counter Street that has a cost of $9,750.00 and in the event approvals are not obtained, the City agrees to construct a 60 ft. concrete culvert as specified by the C.N. to provide access over the relocated drainage route in 1980, the 1980 budget to provide for the applicable alternative."

   (Note: A copy of the Report of the Commissioner of Works is attached as Schedule "C" - 2 pages)

6. That, as recommended by the Commissioner of Works, the tender of J&J Towing Services for General Ancillary Services as set out in tender No. 79-44, in the amount of $10.00 per call be accepted, being the only tender received, to take effect from December 1, 1979 for a period of one year, the service for the previous twelve months by the tenderer having been satisfactory.

   (Note: A copy of the Report of the Commissioner of Works is attached as Schedule "D" - 2 pages)

7. That, as recommended by the Commissioner of Works, the purchase of one "Bomag Asphalt Recycler" at an estimated cost of $12,000. is hereby authorized in order to improve the efficiency of the cold weather pavement patching program through the reuse of old asphalt,

- and -

That the following budget appropriation amendment be approved to provide the necessary funds:

	Increase	Decrease
PUBLIC WORKS		
PERMANENT PAVEMENTS	-	$12,000.
CONTRIBUTIONS FROM REVENUE FUND		
New Equipment (Asphalt Recycler)	$12,000.	-

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "E" - 2 pages)

8. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of storm sewers in (1) Johnson Street from Wellington Street easterly 282.59 m and (2) Clarence Street, crossing Ontario Street intersection (with sanitary sewer, laterals, connections and manholes as City's share) under the provisions of Section 7 of The Local Improvement Act,

Total Cost	$253,000.00
Owners' Share	$ 4,540.45
M.T.C. Subsidy	$ 75,042.00
City's Share	$173,417.55
Debenture	$177,958.00

- and -

That the following transfer in the 1979 Capital Budget Quota be approved:

	Increase	Decrease
Local Improvement Storm sewers Johnson St. *(Increase allocation to $177,958.)*	$77,958.	-
Local Improvement Roads Miscellaneous	-	$ 6,958.
General Rate Roads Street "X"	-	$49,750.
Local Improvement Storm sewers Ontario Street	-	$21,250.

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "F" - 1 page)

(See By-Law 2: No. 79-270)

9. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a sanitary sewer in Street "X" from Street "Y" southerly 62.42 meters, with service, under the provisions of Section 7 of The Local Improvement Act,

Estimated total cost	$9,500.
Owner's share	$5,000.
City's share	$4,500.
Debenture amount	$9,500.

- and -

That the following transfer in the 1979 Capital Budget Quota be approved:

	Increase	Decrease
Local Improvement sanitary sewer Street "X"	$9,500.	-
General Rate - Miscellaneous Roads	-	$9,500.

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "G" - 2 pages)

(See By-Law 3: No. 79-271

10. That, as recommended by the City Treasurer, List of Accounts No. 10, dated October, 1979, in the amount of $2,630,544.78 for expenditures incurred under proper authorization be approved.

(Note: A copy of the List was distributed to each member of Council, previously, on November 16, 1979)

11. WHEREAS, Mr. James Ancreopoulos, owner of 414 Princess Street, obtained a building permit to alter and extend the former service station building at this address to accommodate a donut shop and restaurant on June 20, 1979;

AND WHEREAS, during the commencement ofthe work it was found that the walls of the building were so unsafe as to require demolition of the building, which has been completed;

AND WHEREAS, in accordance with the City's By-Laws application has now had to be made for a Development Control Agreement for a proposed new building which will take time and the winter freezing temperatures will occur before the application is completed:

THAT the request of Mr. James Ancreopoulos, that the Chief Building Official be authorized to issue him a building permit to allow him to excavate, pour footings and build the walls of the proposed building to grade level only on his property at 414 Princess Street, be approved in order to avoid delays and damages as a result of winter weather, and to give the City opportunity to view his proposal under the Development Control Agreement, on the understanding that:

11. (Cont'd)

a) Any foundation work done is at the risk and responsibility of Mr. Ancreopoulos without any recourse to The Corporation of the City of Kingston; and,

b) If required by the City Solicitor, a legal understanding to this effect will be supplied to the City by Mr. Ancreopoulos through his Solicitor, Mr. George N. Speal.

Respectfully submitted,

R.J. Hamilton,
Chief Administrative Officer

Schedule "A" to Report No. 116
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON
OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 4-2.1

November 19, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE:
- ONE FOOT RESERVES - DEDICATION OF
- BOB MARTIN CONSTRUCTION LTD. DEVELOPMENT AT QUEEN MARY ROAD
- WATTS-SILVER SUBDIVISION REGISTERED PLAN 1761

I am enclosing herewith copies of memorandums received from Mr. N.C. Jackson, City Solicitor, with regard to dedication of the above mentioned one-foot reserves. This matter was referred to Mr. Fluhrer, Commissioner of Parks and Recreation and to Mr. K. Linseman, Traffic & Streets Administrator who concur with Mr. Jackson's report.

We therefore recommend that Council approve the recommendations of Mr. Jackson and pass the necessary by-laws to dedicate the one-foot reserves as set out therein.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

Schedule "A" to Report No. 116
(Page 2)

NOV 15 1979

Office of the City Solicitor
Our Ref. No. S-11

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: November 14, 1979

RE: Watts-Silver Subdivision
One Foot Reserves on Registered Plan 1761

The subdivision plan in the Watts-Silver subdivision, (Bertan Investments), was registered in the Registry Office as No. 1761 on September 25, 1979. The Building Department are now in the process of issuing building permits on certain of the lots and have drawn to my attention that there are a number of one foot reserves existing which have the effect of land locking this subdivision from existing public streets.

On March 28, 1978 in Clause 2 of Report No. 32, Council approved the lifting of these one foot reserves subject to the condition that the final approval of the draft plan of subdivision is received. The final approval has been received, as evidenced by the registration of the plan itself. The City has also registered the subdivision agreement and the accompanying easements and conveyances of parkland.

Therefore, I recommend that the one foot reserves described below be lifted by City Council and Council pass a by-law dedicating these one foot reserves as part of Casterton Avenue, Dedrick Drive and Watts Crescent.

1. The one foot reserve at the south end of Casterton Avenue, Reg. Plan No. 1158.
2. The one foot reserve at the south end of Dedrick Drive, Reg. Plan No. 1158.
3. The one foot reserve on the north side of Silver Street, (now Watts Crescent), between the north-east corner of Lot 33 and the south-west corner of Lot 34, Reg. Plan No. 653.

Norman C. Jackson,
City Solicitor

NCJ/ks

NOV 15 1979

Office of the
City Solicitor
Our Ref. No. L-54

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: November 14, 1979

RE: Bob Martin Construction Ltd.
Development at Queen Mary Road

You will recall that when this development was in an earlier stage that the City negotiated with the Grenville Park Co-Op in order to secure the conveyance of a one foot reserve which abutts this development and runs parallel to Queen Mary Road. The agreement reached was that the one foot reserve running to a point up to and including the entrance to the development would be deeded to the City. The agreement was entered into between the City and the Co-Op and this one foot reserve was conveyed to the City and registered.

The developer has now asked that the one foot reserve which is in the City's name be dedicated as part of Queen Mary Road so that he will not be land locked. Technically, even though this one foot reserve is in the name of the City, it is separate from the road and the public or the developer would have no right to cross it without the permission of the City. It is common in such instances to dedicate the one foot reserve as part of the road. The Grenville Park Co-Op retained the balance of the one foot reserve beyond the 300 feet conveyed to the City, with the City having a right of passage over it in order to have access to and maintain McKibbin Park.

In conclusion, in order to remove the land locked feature of the entrance to the development now being constructed, I recommend that the one foot reserve which was previously conveyed to the City being approximately 300 feet in length abutting this development be dedicated as part of Queen Mary Road and that a by-law be enacted by City Council to dedicate this one foot reserve as part of Queen Mary Road.

NJackson

Norman C. Jackson,
City Solicitor

NCJ/ks

Schedule "B" to Report No. 116
(Page 1)

OFFICE OF THE FIRE CHIEF

November 16, 1979.

TO: Mr. R.J. Hamilton, C.A.O.
FROM: K.A. Cowdy, Fire Chief
SUBJECT: BASE STATION RADIO (Purchase of)

ORIGIN:

During budget deliberations early in 1979 I had indicated that funds realized from the sale of our 1944 Aerial Truck would be used toward the purchase of a new Base Radio Station.

ANALYSIS:

The present Base Radio Station was purchased in 1968 and adapted to the existing Remote Control Unit at the Dispatch Office (1952 Model). In recent years we have experienced several periods of down time, delays in parts replacement, etc. to the point where the service contractor has recommended the replacement as the equipment has become unreliable.

EXISTING POLICY:

The Fire Department is dependant upon adequate Radio Equipment for the Communication Office. Not only for our own use but as well we are the co-ordinating department for the Frontenac, Lennox and Addington Fire Mutual Aid System. The Ontario Fire Marshals Office expects us to operate the F.M.O. Province wide frequency in this area and supply monitor service for same.

ALTERNATIVE:

At this point in time we do not have an alternative as the maintenance contractor is not prepared to renew the present service contract on the unit.

FINANCIAL CONSIDERATION:

In the spring of 1979 three companies were invited to review our present equipment and assess our requirements and submit quotations on new equipment. These quotations were as follows:

Canadian Motorola	--	$7,420.
Canadian Marconi	--	$7,462.
General Electric	--	Did not submit a quote.

These quotes were forwarded to our Purchasing Department for review. I would recommend that, as Motorola's equipment would best suit our needs and is the lowest bid, their tender be accepted.

Authorization for a transfer of $2,500. from 33-42 Maintenance of Auto Equipment to 33-41 Purchase of Equipment is requested.

KA Cowdy
K.A. Cowdy, Fire Chief.

Schedule "B" to Report No. 116
(Page 2)

NOV 22 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Fire Chief K. A. Cowdy.

FROM: Mr. M. J. Ewart, Director of Purchasing.

SUBJECT: Radio Communication Equipment/Base Station.

DATE: November 22, 1979.

I would refer to our several conversations regarding the functional upgrading of your communication equipment. I would feel that the present bid of Canadian Motorola Limited provides an allowance for the existing base station equipment more directly proportional to its current undepreciated value.

It is of further moment that the rated functional characteristics of the equipment are more responsively aligned to the intended broadened application as envisaged by you.

I would, therefore, recommend the acceptance of the quotation as referred.

Yours very truly,

M. J. Ewart,
Director of Purchasing.

MJE/jg

cc: Mr. R. J. Hamilton, C.A.O.

NOV 22 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE FIRE CHIEF

BROCK STREET FIRE STATION
KINGSTON, ONTARIO

November 22, 1979.

TO: Mr. R.J. Hamilton & Members of Council
FROM: K.A. Cowdy, Fire Chief
SUBJECT: Purchase of Base Radio Station

Following submission of price confirmations from Canadian Motorola and Canadian Marconi for supply, installation and tax on a base radio station. A communication from Mr. Smiles of Marconi was received today pointing out that a portion of their equipment quotation was for design change and therefore not subject to a provincial tax. This is a reduction of $101. from his total price. Therefore, Marconi would be the lowest bid by $59.

Having been involved with both companies as to our requirement, it is my view that the Motorola proposal would best suit our needs.

On this basis I would recommend that the tender of Canadian Motorola be accepted as the lowest acceptable bid.

I will attend Council Meeting #47 to answer questions from Members of Council.

K. Cowdy
K.A. Cowdy, Fire Chief.

KAC/bd

cc Mr. M.J. Ewart

Memo to	Mr. R.J.Hamilton, Chief Administrative Officer
Date	November 22, 1979
Subject	KIMCO Agreement - Relocation of Operations from Rideau St to Counter St

Origin

KIMCO have requested the City to consider an amendment to the agreement as regards the clause covering installation of a culvert in the watercourse to provide access to the C.N. property to the east.

Analysis

In 1974 KIMCO and the City entered into an agreement, By-law No. 8035, and dated May 22, 1974, covering the conditions relating to the relocation of KIMCO's operations from Rideau St to Counter St. The relevant clause to this report is Clause 9 -

Clause 9 of this agreement reads -

"At such time as the Developers have ceased operations on Rideau Street and commenced full scale operations on Counter Street, or at such later time as the Developers may specify, but not to exceed two years, the City will provide and build a 60-foot rail and vehicular access over the relocated drainage route complete with culvert to give the Developers access from their lands to the C.N.R. rail spur at the City's sole expense which is estimated at $6,700.00. The City will be responsible for any cost thereof over and above such estimated sum."

The City Solicitor reports that on the basis that the two year period has expired, it would be a requirement for the City to provide the access at this point in time.

When the relocation was under consideration Alcan was actively involved in planning an industrial subdivision on the Counter St frontage of their property. The Public Works Department were preparing preliminary plans to make sanitary sewers available to both Alcan and KIMCO. KIMCO installed a sewage holding tank as an interim measure.

An outlet sewer that would run from Counter St to Lappan's Lane sewer and parallel the drainage ditch between KIMCO and the C.N. Team Track is included in the 1979 Capital Budget. This would be constructed under the Municipal Act with the benefitting owners being assessed their share when they make use of it.

A section of Local Improvement sanitary sewer is proposed for Counter St. Provision of debenture allotment for General Rate sanitary sewers in the 1979 Capital Budget would provide most of the funding.

Although the Alcan Industrial Park is dormant at the moment Alcan will support these projects. It would be possible to initiate them in December.

KIMCO have asked that the agreement be amended so that the City apply a credit to KIMCO's sewer costs rather than install the culvert. KIMCO's estimated sewer cost is $17,000.00

Financial

The cost to install a 60 ft. culvert to C.N.'s specifications in 1980 is estimated to be $11,000.00. The estimate of $6,700.00 in the agreement assumed a corrugated steel pipe culvert could be used (C.N. require concrete pipe according to recent letter). It would cost $8,500.00 to install a corrugated steel pipe in 1980. KIMCO would accept a credit of $9,750.00(splitting the difference). The City Solicitor states that it would be in the City's best interest to accept KIMCO's offer.

Alternatives

There appears to be two alternatives.

1. Install the culvert in 1980 at a cost of approximately $11,000.00.
2. Commute $9,750.00 in Local Improvement assessment for Counter St sanitary sewer.

The latter alternative is better because the City's share is firm and lower than is anticipated for the other alternative.

Recommendation

That Clause 9 of By-law No.8035, an agreement with KIMCO, be deleted and the following be substituted -

Subject to a sanitary sewer in Counter St from the outlet to the KIMCO connection and the outlet sanitary sewer from Counter St to Lappan's Lane receiving the approval of the Ontario Municipal Board, the City agrees to commute the portion of the assessment for the sanitary sewer in Counter St that has a cost of $9,750.00 and in the event approvals are not obtained, the City agrees to construct a 60 ft. concrete culvert as specified by the C.N. to provide access over the relocated drainage route in 1980, the 1980 budget to provide for the applicable alternative.

DG/gg

D. Graham, P.Eng
Commissioner of Works

Schedule "C" to Report No. 116
(Page 2)

Although the Alcan Industrial Park is dormant at the moment Alcan will support these projects. It would be possible to initiate them in December.

KIMCO have asked that the agreement be amended so that the City apply a credit to KIMCO's sewer costs rather than install the culvert. KIMCO's estimated sewer cost is $17,000.00

Financial

The cost to install a 60 ft. culvert to C.N.'s specifications in 1980 is estimated to be $11,000.00. The estimate of $6,700.00 in the agreement assumed a corrugated steel pipe culvert could be used (C.N. require concrete pipe according to recent letter). It would cost $8,500.00 to install a corrugated steel pipe in 1980. KIMCO would accept a credit of $9,750.00(splitting the difference). The City Solicitor states that it would be in the City's best interest to accept KIMCO's offer.

Alternatives

There appears to be two alternatives.

1. Install the culvert in 1980 at a cost of approximately $11,000.00.
2. Commute $9,750.00 in Local Improvement assessment for Counter St sanitary sewer.

The latter alternative is better because the City's share is firm and lower than is anticipated for the other alternative.

Recommendation

That Clause 9 of By-law No.8035, an agreement with KIMCO, be deleted and the following be substituted -

Subject to a sanitary sewer in Counter St from the outlet to the KIMCO connection and the outlet sanitary sewer from Counter St to Lappan's Lane receiving the approval of the Ontario Municipal Board, the City agrees to commute the portion of the assessment for the sanitary sewer in Counter St that has a cost of $9,750.00 and in the event approvals are not obtained, the City agrees to construct a 60 ft. concrete culvert as specified by the C.N. to provide access over the relocated drainage route in 1980, the 1980 budget to provide for the applicable alternative.

DG/gg

D.Graham, P.Eng
Commissioner of Works

Schedule "D" to Report No. 116
(Page 1)

NOV 21 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: November 19th, 1979

SUBJECT: Tender No. 79-44
General Ancillary Services

ORIGIN: The Purchasing Department have called this tender to fill a need of the Public Works Department.

ANALYSIS: Minor incidents occur on the streets after normal working hours which require attention.

Some examples of these incidents are as follows:

- Glass Following an accident needs to be cleaned up
- A dog has been killed and should be removed from the roadway
- A catchbasin cover has been removed and a barricade is necessary.

J&J Towing Services presently holdsthe contract.

EXISTING POLICY: The lowest tender is accepted unless there is justification for doing otherwise.

Only one tender was received although the advertisement appeared in the paper three times and eleven tenders were mailed to firms that might be interested.

FINANCIAL: Although the price is higher than in 1978 or 1979 it is still an economical way of providing an emergency after-hour service. The Director of Purchasing has recommended for consideration the acceptance of the single tender received. (See Schedule "A")

RECOMMENDATION: That the tender of J&J Towing Services for General Ancillary Services as set out in the tender, in the amount of $10.00 per call be accepted being the only tender received to take effect from December 1st, 1979 for a period of one year, the service for the previous twelve months by the tenderer having being satisfactory.

D. Graham, P. Eng.
Commissioner of Works

DG/jc

SCHEDULE "A"

NOV [illegible] 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE

Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. D. Graham, Commissioner of Works.

FROM: Mr. M. J. Ewart, Director of Purchasing.

SUBJECT: General Ancillary Services/Tender No. 79-44.

DATE: November 16, 1979.

One bid only, as setout hereunder, was received in response to the subject invitation for the provision of general maintenance ancillary services:

J. & J. TOWING SERVICES - $10.00 PER CALL

Whilst the tendered fee is twice the current price being charged by the firm in mention, it would appear that the current fee is abnormally low in relation to the fees for previous years as setout hereunder:

1977 - $14.85 per call
1978 - $7.00 per call
1979 - $5.00 per call

I would recommend for consideration that the single tender of J. & J. TOWING SERVICES be accepted, it being of moment that the firm has performed the service satisfactorily for a period of twelve months, and that the price quoted is consistent with the fee profile as setout.

Yours very truly,

M. J. Ewart,
Director of Purchasing.

MJE/jg

Schedule "E" to Report No. 116
(Page 1)

NOV 21 1979

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date November 21, 1979

Subject Mobile Asphalt Recycler

Origin At an earlier meeting of Council Public Works was asked that as part of the considerations in the 1980 Current Budget the above mentioned piece of equipment be included.

Analysis This equipment is most useful in the spring. As part of the 1980 Current Budget it would not be available for next spring. Consideration should be given to a purchase now. A report from the Deputy City Engineer is attached as Schedule "A". It would be advantageous to use this machine throughout the year for small patching jobs.

Existing Policy To purchase new equipment with funds provided in the Current Budget. Replacement equipment is financed from the Reserve for Equipment Relacement.

Financial Projecting expenditures to the end of the year and assuming winter control requirements will be about the same as last year the indicated surplus is about $175,000.00 between the Yard Budget and the Sewer System Budget.

Recommendation That the purchase of a Bomag Asphalt Recycler be authorized as a charge against the 1979 Current Budget to improve the efficiency of our cold weather pavement patching program, and that a transfer of $12,000.00 be approved from the Permanent Pavement account to Account 314-82 (New Equipment).

D.Graham, P.Eng
Commissioner of Works

DG/gg
Att. 1

Schedule "A"

MEMORANDUM

TO: D. Graham
Commissioner of Works

DATE: November 15th, 1979

RE: Mobile Asphalt Recycler

About a year ago we witnessed a demonstration of the Bomag Asphalt Recycler, which is a trailer mounted machine capable of producing rejuvenated hot mix from excavated asphalt in small quantities for cold weather patching. Since then the machine has been modified and although it is rather costly at about $11,800, it would prove its worth as we would be able to hot patch potholes with it instead of using cold mix material which so often disappears out of the patched hole and thus requires two or more calls to the same pothole. Furthermore the recycler uses mainly excavated material which now goes to waste.

The time of the year when this machine is most needed is in March and early April during the spring break-up. This means, that if we follow the usual way of providing for this expenditure in the budget we will not be able to use it in 1980, even if it would be approved. It seems that our current budget will end up with enough surplus in the paved roads account to pay for this machine this year.

Our reasons for recommending its purchase are:

1- That the hot patching it can do will be far superior to the cold patching work we are now doing,

2- Hot patches will usually stay in place, whilst cold patches often do not,

3- Larger cold mix repairs now need to be broken out in summer and replaced by hot mix. This double work could be avoided.

4- We spent $11,250 for the purchase of cold mix this year. The machine would use mainly recycled material so that the annual saving in material purchase might well be of the order of $6,000±.

5- M.T.C. Kingston office has obtained one recycler with the approval of M.T.C. Toronto. Their machine has proved so successful that their Ottawa District has applied to buy one and has asked to borrow the Kingston machine in the meantime. Apparently 15 year old asphalt has been used quite successfully without an asphlt additive.

G. de Lugt, P. Eng.
Deputy City Engineer

GL/jc

Schedule "F" to Report No. 116
(Page 1)

NOV 21 1979

MEMORANDUM

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: November 19th, 1979

SUBJECT Construct storm sewer in Johnson Street from Wellington Street to easterly 282.59 m. (Lake Ontario).

ORIGIN A sufficiently signed petition has been received for undertaking the work which was a project in the Capital Budget.

ANALYSIS The old stone box sewer in Johnson Street is in very poor condition and had caved in a few times in the past. It is not only costly to maintain but also hazardous to the traffic.

FINANCIAL There is $100,000 allocation in the 1979 Capital Budget; additional funds are required.

RECOMMENDATION That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of storm sewers in Johnson Street from Wellington STreet easterly 282.59 m under the provisionss of Section 7 of the Local Improvement Act.

Total Cost	$253,000.00
Owners' share	$ 4,540.45
M.T.C. Subsidy	$ 75,042.00
City' Share	$173,417.55
Debenture	$177,958.00

and that the following transfer in the 1979 Capital Budget be approved:

	INCREASE	DECREASE
Local Improvement Storm sewers Johnson Street	$77,958	
Local Improvement Roads Miscellaneous		$ 6,958
General Rate Roads Street "X"		$49,750
Local Improvement Storm sewers Ontario Street		$21,250

D. Graham, P. Eng.
Commissioner of Works

PL/jc

Schedule "G" to Report No. 116
(Page 1)

NOV 21 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: November 20th, 1979.

SUBJECT Construction of Sanitary sewer in Street "X" from Street "Y" southerly 62.42 meters with service.

ORIGIN A sufficiently signed petition has been received for the above mentioned work.

ANALYSIS The land at the northeast corner of Street "X" and Counter Street known as McAdoo's Industrial Park is using a holding tank for sanitary wastes. This work would service the McAdoo property and could be extended to service the City's Clyde Farm industrial land on Counter Street. The proposed sewer in Street "Y" and Street "Z" would provide an adequate outlet.

FINANCIAL There is no allotment in 1979 Capital Budget. Transfer of funds is necessary.

RECOMMENDATION That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of a sanitary sewer in Street "X" from Street "Y" southerly 62.42 meters with service under provisions of Section 7 of the Local Improvement Act.

Estimated total cost	$9,500
Owner's share	$5,000
City's share	$4,500
Debenture Amount	$9,500

And the following transfer of funds be approv ed:

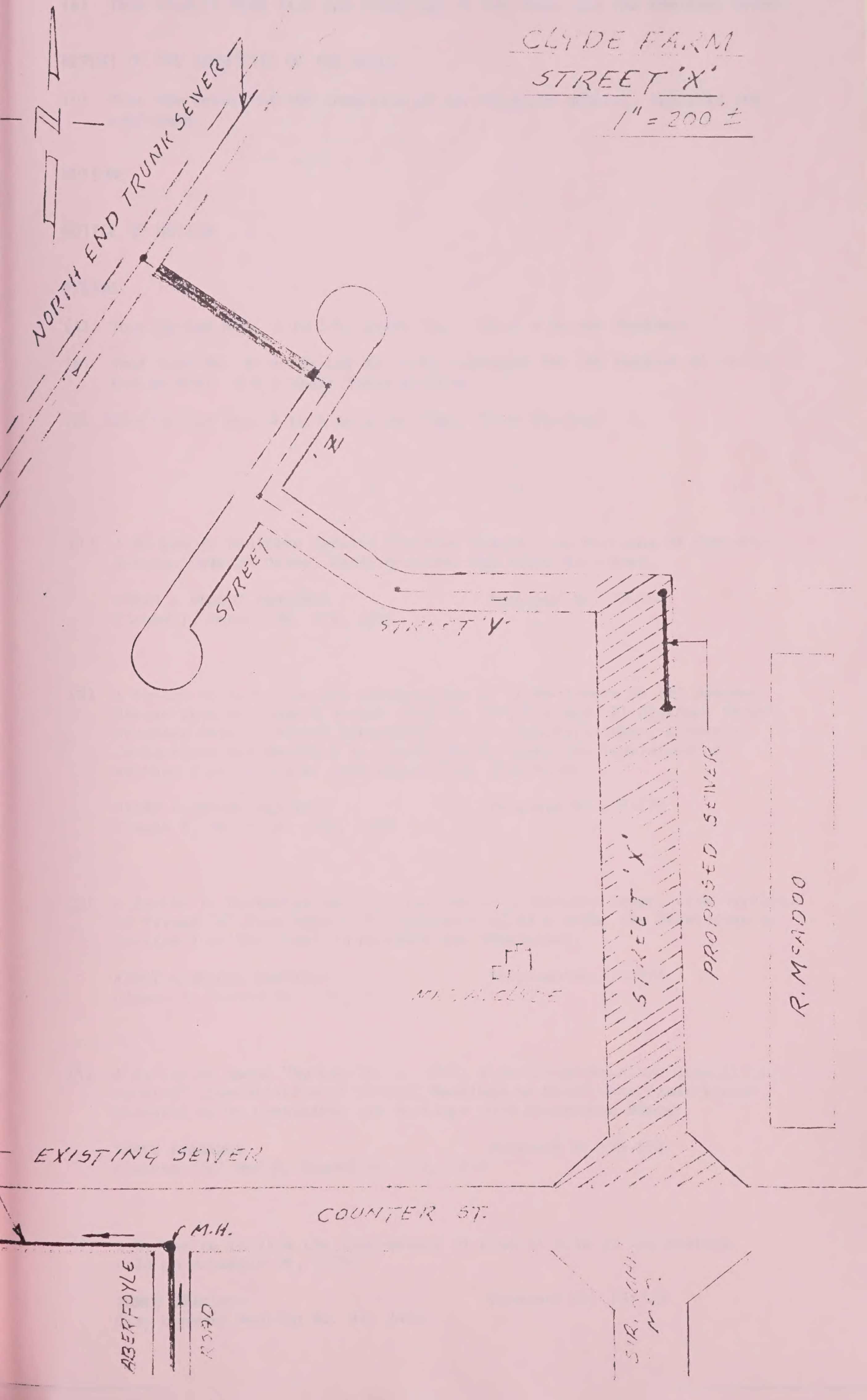
	INCREASE	DECREASE
Local Improvement sanitary sewer Street "X"	$9,500	
General Rate - Miscellaneous Roads		$9,500

D. Graham, P. Eng.
Commissioner of Works

PL/jc

Schedule "G" to Report No. 116
(Page 2)

CLYDE FARM
STREET 'X'
1" = 200 ±


NORTH END TRUNK SEWER
N
'X'
STREET
STREET 'Y'
STREET 'X'
PROPOSED SEWER
R. McADOO
MRS. M. CLYDE
EXISTING SEWER
COUNTER ST.
M.H.
ABERFOYLE ROAD
SIR.

COMMITTEE OF THE WHOLE (Cont'd)

(B) That Council Rise from the Committee of the Whole and the Chairman Report.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) That the Report of the Committee of the Whole be adopted, approved and confirmed.

MOTIONS

NOTICE OF MOTION

BYLAWS

(A) That By-Law Nos. 1 to 5 be given their First & Second Readings.

(B) That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law Nos. 4 & 5 their Third Reading.

(C) That By-Law Nos. 4 to 6 be given their Third Reading.

* * *

(1) A By-Law to Dedicate Certain One Foot Reserves as Portions of Casterton Avenue, Dedrick Drive, Watts Crescent and Queen Mary Road.

FIRST & SECOND READINGS Proposed No. 79-269
Clause 1, Report No. 116, 1979

(2) A By-Law to Authorize the Construction of Storm Sewers in (1) Johnson Street from Wellington Street easterly 282.59 m and (2) Clarence Street, crossing Ontario Street Intersection, with Sanitary Sewer, Laterals, Connections and Manholes as City's Share, under the Provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST & SECOND READINGS Proposed No. 79-270
Clause 8, Report No. 116, 1979

(3) A By-Law to Authorize the Construction of a Sanitary Sewer, with Service, in Street "X" from Street "Y" Southerly 62.42 m under the Provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST & SECOND READINGS Proposed No. 79-271
Clause 9, Report No. 116, 1979

(4) A By-Law to Amend "By-Law No. 1, 1979, A By-Law to Regulate Council Procedures" (Cancellation of Council Meetings by Mayor when Insufficient Business to be Considered and Meetings with Department Heads).

THREE READINGS Proposed No. 79-272
Clauses 7(a) and 8, Report No. 115, 1979

(5) A By-Law to Confirm the Proceedings of Council held at its Meeting held on November 26, 1979.

THREE READINGS Proposed No. 79-273
City Council Meeting No. 47, 1979

BYLAWS (Cont'd)

(6) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of The City of Kingston" (Rezone Properties Located at 257-259 Queen Street, 73-75 Bay Street, 442 Bagot Street, 424 Bagot Street, 212 Montreal Street, 68-70 Raglan Road, 61-63 John Street, 330 Division Street Re: Neighbourhood Stores).

THIRD READING
Clause 6, Report No. 112, 1979

Proposed No. 79-263

UNFINISHED BUSINESS

ADJOURNMENT

CITY COUNCIL MEETING NO. 47

The Regular Meeting of City Council was held on Monday, November 26, 1979 commencing with an "In Camera" session from 7:05 p.m. to 8:00 p.m. in the Loyalist Room, City Hall, and continued in the Council Chamber at 8:00 p.m. His Worship Mayor Keyes presided.

(Loyalist Room)

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

COMMITTEE OF THE WHOLE "IN CAMERA"

(A) Moved by Ald. Bishop,
Seconded by Ald. Clark,

That Council resolve itself into the Committee of the Whole to consider "In Camera" certain items.

CARRIED

(Council Chamber)

(B) Moved by Ald. Clements,
Seconded by Ald. Gerretsen,

That the Committee of the Whole rise without reporting.

CARRIED

ROLL CALL

Mayor Keyes, Ald. Bishop, Ald. Clark, Ald. Clements, Ald. Gerretsen, Ald. Gorham, Ald. Hawkins, Ald. Knapp, Ald. Lampropoulos, Ald. Matthews, Ald. McArthur, Ald. Miller, Ald. Tarnowecky, Ald. Timmins, Ald. Webb (15)

MINUTES

Moved by Ald. Gerretsen,
Seconded by Ald. Gorham,

That the Minutes of Meeting No. 45 be amended on page 1825 to delete from Motion No. 2, paragraph 6, the word, "permit" and to substitute therefor the word, "promote", and, as amended, be approved.

CARRIED

COMMUNICATIONS

Council consented to the addition of Communication Nos. 678 to 684.

Referred to CAUCUS

(673) From Mr. John T. McKenzie announcing his resignation as a planning board member from the City Planning Board, effective November 30, 1979 and commenting that he considers it a privilege to have been able to serve on this committee.

A05 File No. 17-4

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer

(674) From the District Chamber of Commerce informing the City that at a recent meeting of representatives of the Social Planning Council, the Library, Queen's Legal Aid, the Senior Citizen's Council and the Chamber of Commerce it was agreed to try to establish a Consumer Information Service supported by all the municipalities in the Kingston area with the City's share of the $2,000. total budget to be $86
(Note: Copy of above letter has been distributed to all members of Council)

File No. 3-18

Referred to the Industrial Commissioner

(675) From the Ministry of Treasury & Economics forwarding a report entitled, "Eastern Ontario, Statistical Profile". The statistical tables contained in this report deal mainly with population distribution and characteristics, with some data on agriculture, income, labour force and manufacturing. The information provided should serve as a convenient source of data for any studies that the City might undertake involving this region.

File No. 9-1.1

Filed

(676) Copy of a letter from the Liquor Licence Board of Ontario to Mr. Jose Melo at the Ambassador Hotel, 1550 Princess Street, Kingston, advising that a public meeting of The Liquor Licence Board of Ontario will be held on Monday, December 10, 1979 at 10:00 a.m. at the Royal Canadian Legion Hall, 261 Ontario Street, Kingston, at which time Mr. Melo's application for additional dining lounge facilities will be considered.

File No. 12-6

Referred to the Director of Planning & Urban Renewal

(677) From the Ministry of Housing forwarding a report entitled "Urban Developme Standards: A Detailed User Survey" which reviews rather thoroughly innovative development standards which are currently being used by municipalities in Ontario. This study was undertaken in 1978 in response several requests, mainly by municipalities, for further information on actual subdivision developments employing reduced and innovative design standards similar to those proposed in "Urban Development Standards - A Demonstration of the Potential for Reducing Costs", which the Ministry published in April 1976.

File No. 22-2.1

Referred to the Chief Administrative Officer

(678) From the Kingston Frontenac Advisory Board expressing their appreciation of the City's past financial support reflected through a grant allocated to the Canadian National Institute for the Blind and requesting a 1980 grant in the amount of $3,300. This amount represents an approximate increase of over $300 allocated for 1979 as the cost of providing services has increased.

File No. 2-3.6

COMMUNICATIONS (Cont'd)

Referred to the Chief Administrative Officer (Cont'd)

(679) From the Corporation of the City of Windsor requesting that the City endorse their resolution which reads as follows:

> *"WHEREAS Bell Canada is seeking approval for a contemplated change in its rate structure to apply Usage Sensitive Pricing under which a customer would pay for the frequency and length of each call; and,*
>
> *WHEREAS the implementation of such a pricing policy would penalize small businesses and senior citizens who rely on the telephone to keep in touch with relatives and friends and who find considerable comfort from its use; and,*
>
> *WHEREAS Bell Canada could surely devise a method of establishing a special tariff for commercial operations which rely almost exclusively on the telephone to generate business, if in fact this is Bell's primary concern; and,*
>
> *WHEREAS the imposition of the proposed Usage Sensitive Pricing is an unwarranted gouging of all Bell customers regardless of circumstances;*
>
> *THEREFORE BE IT RESOLVED that the Canadian Radio Television Commission be advised that this Council is adamant in its opposition to such a pricing policy."*

File No. 19-7

(680) From the City of Barrie requesting that the City endorse their following resolution:

> *"WHEREAS the Quebec Provincial Government has recently issued a White Paper on proposed Sovereignty - Association,*
>
> *AND WHEREAS the Premier of the Province of Ontario and other Provincial Premiers have expressed their strong opposition to this proposal,*
>
> *AND WHEREAS this same view point is shared by all Canadians who believe in a united Canada,*
>
> *NOW THEREFORE BE IT RESOLVED that the Council of the Corporation of the City of Barrie supports the position taken by the Premier of the Province of Ontario in opposing Quebec's White Paper and solicits the support of all municipalities to indicate to the Province of Quebec that we believe in a united Canada within the framework of Confederation."*

File No. 19-7

(681) From the Ministry of Intergovernmental Affairs regarding the City of Kingston's endorsation of the City of Brampton concerning off-road motorized recreational vehicles (R 74 (12) 79) Meeting No. 28, July 9th, Page 852, and advising that at the Provincial-Municipal Liaison Committee Meeting held on October 19, 1979, Transportation and Communications Minister, James Snow, tabled a Discussion Paper pertaining to Motorized Off-Highway Vehicles. A copy of this Paper is forwarded for comments.

File No. 19-9

ADDED COMMUNICATIONS (Cont'd)

Referred to the Parks & Recreation Commissioner

(682) From the Local Architectural Conservation Advisory Committee advising that they have recently completed Volume IV of Buildings of Architectural and Historical Significance in which the properties of 209 Ontario Street (Chamber of Commerce), 251 Ontario Street (Fire Hall Restaurant) and 19-23 Queen Street have been recorded. The Committee proposes to record these properties for designation because it believes they are important to the architectural and/or historical heritage of Kingston. Before doing so, however, the Committee wants to make clear its proposal and welcomes any comments the City might have. Such comments should be submitted in writing to Mr. G.G. Muirhead, Secretary of the Committee within 30 days.

A copy of the relevant parts of The Ontario Heritage Act of 1974 and a brochure entitled "What is Heritage Designation" was forwarded for information.

File No. 2-4.1

Filed

(683) From Mrs. Helen McGlynn and family thanking the City for its motion of condolence.

File No. 3-6

Referred to City of Kingston Planning Board

(684) From the Canadian Church Supply and Gift Centre objecting to the proposed shopping centre for downtown stating that such a development would eliminate their business.

File No. 4-3.5

COMMITTEE OF THE WHOLE

(A) Moved by Ald. Gorham,
Seconded by Ald. Hawkins,

That Council resolve itself into the Committee of the Whole to receive reports, with Mayor Keyes in the Chair.

CARRIED

(B) Moved by Ald. Knapp,
Seconded by Ald. Lampropoulos,

That Council rise from the Committee of the Whole and the Chairman report.

CARRIED

The Chairman reported that the following report was considered in the Committee of the Whole.

REPORTS

Moved by Ald. Hawkins,
Seconded by Ald. Knapp,

That Report No. 116 of the Chief Administrative Officer be received and considered.

CARRIED

REPORT NO. 116

November 26, 1979

To the Mayor and Aldermen:

The Chief Administrative Officer reports and recommends as follows:

1. That, as recommended by the City Solicitor, a by-law be presented to Council to dedicate the following one foot reserves as part of the abutting streets:

   a) at south end of Casterton Avenue, as shown on Registered Plan 1158, as part of Casterton Avenue;

   b) at the south end of Dedrick Drive, as shown on Registered Plan 1158, as part of Dedrick Drive;

   c) between the south-west corner of Lot 34 and the north-east corner of Lot 33, as shown on Registered Plan 653, as part of Watts Crescent; and,

   d) on the westerly side of Queen Mary Road, being Part of Farm Lot 16, Concession 2, from 290.64 feet north of Bath Road northerly 300 feet, as part of Queen Mary Road.

(Note: A copy of the Report of the Chief Administrative Officer is attached hereto as Schedule "A" - 3 pages)

(See By-Law 1: No. 79- 269)

CARRIED

2. That, as recommended by the Chief Administrative Officer and the City Treasurer, the following resolution of the City of Windsor be ENDORSED:

"1174/79 WHEREAS the Minister of Revenue has decided to discontinue the use of complete and comprehensive property descriptions and in due course will also eliminate the depth of properties from the assessment rolls which are prepared by the Regional Assessment Office for distribution to municipalities annually;

AND WHEREAS the following major procedures undertaken by municipalities involving the examination of the assessment rolls require that detailed property descriptions be available.

(a) preparation of property lists used by City Departments in connection with zoning amendments, street and alley closings, Committee of Adjustment applications, improvement areas, local improvement assessments;

(b) the calculation of local improvement assessments which are determined on the basis of property dimensions;

REPORTS (Cont'd)

Report No. 116 - Chief Administrative Officer

2. (Cont'd)

(c) responding to requests received from the public including real estate offices, lawyers, building contractors, investment firms, banks, as well as all municipal departments;

(d) establish new polling subdivision boundaries for municipal election purposes;

(e) determine ownership and property dimensions for weed cutting charges;

(f) to ascertain the existence or otherwise of alley or street allowances;

(g) preparation of petitions for local improvements;

(h) preparation of petitions for street and alley closings;

AND WHEREAS the only alternative to municipalities is that they prepare mylar plans which would contain the dimensions for each property in the municipality which would have to be cross-referenced to the assessment rolls;

AND WHEREAS the preparation and up-dating of these plans by all municipalities would entail a considerable amount of work and in many instances additional staff would be required;

AND WHEREAS all information has in the past been available from the assessment roll and in the future will require an examination of both the assessment roll and the plan prepared by the municipality;

AND WHEREAS the additional cost to the municipality to gather and up-date this information does not appear to be justified when it is now available at the Regional Assessment Office but not printed on the assessment rolls;

THEREFORE BE IT RESOLVED that the Minister of Revenue be asked to reconsider his Ministry's decision to discontinue the printing of complete and comprehensive property descriptions on the assessment rolls in view of the additional cost and inconvenience this would cause to all municipalities/

CARRIED

3. That, as recommended by the Fire Chief, the quotation of Canadian Motorola Limited for the supply of a new Base Radio Station for the Brock Street Fire Station in the amount of $7,420.00, being the lowest acceptable quotation, be accepted,

- and -

That the following budget appropriation amendment be approved in order to provide balance of funds required:

REPORTS (Cont'd)

Report No. 116 - Chief Administrative Officer

3. (Cont'd)

	Increase	Decrease
FIRE DEPARTMENT		
Purchase of Equipment (A/C 33-41)	$2,500.	-
Maintenance of Auto Equipment	-	$2,500.

(Note: A copy of the Fire Chief's Report is attached as Schedule "B" - 3 pages)

CARRIED

4. That, since the Commissioner of Works does not recommend endorsement of the resolution of The Regional Municipality of Waterloo for the following reasons:

   a) Under the revised Act of Pits & Quarries, the section under "The Industrial Minerals" should only become effective under 13(2) or 16 after the procedure detailed in 12 has been followed;

   b) Our small undeveloped area makes the potential for problems remote,

   the following resolution of The Regional Municipality of Waterloo be NOT ENDORSED:

   "That the Minister of Natural Resources be requested to delay second reading of Bill 127, an Act to Revise the Pits and Quarries Control Act, 1971, until such time as the Regulations to be made under this Act are circulated to Ontario municipalities with 60 days to comment;

   And further, that it be written into the Act that any Regulations which may, from time to time, be promulgated under this Act, be circulated to Ontario municipalities with 60 days to comment."

CARRIED AS AMENDED
(See following motion of amendment)

Moved by Ald. Miller,
Seconded by Ald. Knapp,

That Clause 4 be amended to delete the word "FILED" and to substitute therefor the words "NOT ENDORSED", so that it reads, in part:

> "the following resolution of The Regional Municipality of Waterloo be NOT ENDORSED."

CARRIED

REPORTS (Cont'd)

Report No. 116 - Chief Administrative Officer

5. That, as recommended by the Commissioner of Works, the execution of an amending agreement with Irving Rosen, Kingston Iron and Metal Limited and Kimco Steel Sales Limited is hereby authorized to provide for the deletion of Clause 9 of the original agreement, dated May 22, 1974, and the substitution therefor of the following:

> "9. Subject to a sanitary sewer in Counter Street from the outlet to the KIMCO connection and the outlet sanitary sewer from Counter Street to Lappan's Lane receiving the approval of the Ontario Municipal Board, the City agrees to commute the portion of the assessment for the sanitary sewer in Counter Street that has a cost of $9,750.00 and in the event approvals are not obtained, the City agrees to construct a 60 ft. concrete culvert as specified by the C.N. to provide access over the relocated drainage route in 1980, the 1980 budget to provide for the applicable alternative."

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "C" - 2 pages)

CARRIED

6. That, as recommended by the Commissioner of Works, the tender of J&J Towing Services for General Ancillary Services as set out in tender No. 79-44, in the amount of $10.00 per call be accepted, being the only tender received, to take effect from December 1, 1979 for a period of one year, the service for the previous twelve months by the tenderer having been satisfactory.

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "D" - 2 pages)

CARRIED

7. That, as recommended by the Commissioner of Works, the purchase of one "Bomag Asphalt Recycler" at an estimated cost of $12,000. is hereby authorized in order to improve the efficiency of the cold weather pavement patching program through the reuse of old asphalt,

- and -

That the following budget appropriation amendment be approved to provide the necessary funds:

	Increase	Decrease
PUBLIC WORKS		
PERMANENT PAVEMENTS	-	$12,000.
CONTRIBUTIONS FROM REVENUE FUND		
New Equipment (Asphalt Recycler)	$12,000.	-

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "E" - 2 pages)

CARRIED 13:2
Ald. McArthur & Ald. Webb opposed

REPORTS (Cont'd)

Report No. 116 - Chief Administrative Officer

8. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of storm sewers in (1) Johnson Street from Wellington Street easterly 282.59 m and (2) Clarence Street, crossing Ontario Street intersection (with sanitary sewer, laterals, connections and manholes as City's share) under the provisions of Section 7 of The Local Improvement Act,

Total Cost	$253,000.00
Owners' Share	$ 4,540.45
M.T.C. Subsidy	$ 75,042.00
City's Share	$173,417.55
Debenture	$177,958.00

- and -

That the following transfer in the 1979 Capital Budget Quota be approved:

	Increase	Decrease
Local Improvement Storm sewers Johnson St. *(Increase allocation to $177,958.)*	$77,958.	-
Local Improvement Roads Miscellaneous	-	$ 6,958.
General Rate Roads Street "X"	-	$49,750.
Local Improvement Storm sewers Ontario Street	-	$21,250.

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "F" - 1 page)

(See By-Law 2: No. 79-270)

CARRIED

9. That, as recommended by the Commissioner of Works, since a sufficiently signed petition has been received, a by-law be presented to Council to authorize the construction of a sanitary sewer in Street "X" from Street "Y" southerly 62.42 meters, with service, under the provisions of Section 7 of The Local Improvement Act,

Estimated total cost	$9,500.
Owner's share	$5,000.
City's share	$4,500.
Debenture amount	$9,500.

- and -

That the following transfer in the 1979 Capital Budget Quota be approved:

REPORTS (Cont'd)

Report No. 116 - Chief Administrative Officer

9. (Cont'd)

	Increase	Decrease
Local Improvement sanitary sewer Street "X"	$9,500.	-
General Rate - Miscellaneous Roads	-	$9,500.

(Note: A copy of the Report of the Commissioner of Works is attached as Schedule "G" - 2 pages)

(See By-Law 3: No. 79-271

CARRIED

Ald. McArthur declared a conflict of interest in Clause 10 since he is the owner of Fort Battery Service.

10. That, as recommended by the City Treasurer, List of Accounts No. 10, dated October, 1979, in the amount of $2,630,544.78 for expenditures incurred under proper authorization be approved.

(Note: A copy of the List was distributed to each member of Council, previously, on November 16, 1979)

CARRIED 14:0
Ald. McArthur abstained from voting

11. WHEREAS, Mr. James Ancreopoulos, owner of 414 Princess Street, obtained a building permit to alter and extend the former service station building at this address to accommodate a donut shop and restaurant on June 20, 1979;

AND WHEREAS, during the commencement of the work it was found that the walls of the building were so unsafe as to require demolition of the building, which has been completed;

AND WHEREAS, in accordance with the City's By-Laws application has now had to be made for a Development Control Agreement for a proposed new building which will take time and the winter freezing temperatures will occur before the application is completed:

THAT the request of Mr. James Ancreopoulos, that the Chief Building Official be authorized to issue him a building permit to allow him to excavate, pour footings and build the walls of the proposed building to grade level only on his property at 414 Princess Street, be approved in order to avoid delays and damages as a result of winter weather, and to give the City opportunity to view his proposal under the Development Control Agreement, on the understanding that:

a) Any foundation work done is at the risk and responsibility of Mr. Ancreopoulos without any recourse against The Corporation of the City of Kingston; and

b) If required by the City Solicitor, a legal agreement to this effect be entered into between the City and Mr. Ancreopoulos through his solicitor, Mr. George N. Speal.

LOST, AS AMENDED 5:10
(See following motions of Amendment)

REPORTS (Cont'd)

Report No. 116 - Chief Administrative Officer

11. (Cont'd)

Moved by Ald. Gorham,
Seconded by Ald. Gerretsen,

That Clause 11 be amended in condition a) to delete the word "to" in the second line and substitute therefor the word "against".

CARRIED

Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Clause 11 be amended to delete condition b) and substitute therefor the following:

> "b) if required by the City Solicitor, a legal agreement to this effect be entered into between the City and Mr. Ancreopoulos through his solicitor, Mr. George N. Speal."

CARRIED

Respectfully submitted,

R.J. Hamilton
Chief Administrative Officer

Schedule "A" to Report No. 116
(Page 1)

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE Chief Administrative Officer

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

Our Ref. No. 4-2.1

November 19, 1979

MEMORANDUM

TO: MAYOR KEYES AND MEMBERS OF COUNCIL

FROM: R.J. HAMILTON, C.A.O.

RE:
- ONE FOOT RESERVES - DEDICATION OF
- BOB MARTIN CONSTRUCTION LTD. DEVELOPMENT AT QUEEN MARY ROAD
- WATTS-SILVER SUBDIVISION REGISTERED PLAN 1761

I am enclosing herewith copies of memorandums received from Mr. N.C. Jackson, City Solicitor, with regard to dedication of the above mentioned one-foot reserves. This matter was referred to Mr. Fluhrer, Commissioner of Parks and Recreation and to Mr. K. Linseman, Traffic & Streets Administrator who concur with Mr. Jackson's report.

We therefore recommend that Council approve the recommendations of Mr. Jackson and pass the necessary by-laws to dedicate the one-foot reserves as set out therein.

R.J. Hamilton,
C.A.O.

RJH/sd
Encl.

NOV 15 1979

Office of the City Solicitor
Our Ref. No. S-11

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: November 14, 1979

RE: Watts-Silver Subdivision
One Foot Reserves on Registered Plan 1761

The subdivision plan in the Watts-Silver subdivision, (Bertan Investments), was registered in the Registry Office as No. 1761 on September 25, 1979. The Building Department are now in the process of issuing building permits on certain of the lots and have drawn to my attention that there are a number of one foot reserves existing which have the effect of land locking this subdivision from existing public streets.

On March 28, 1978 in Clause 2 of Report No. 32, Council approved the lifting of these one foot reserves subject to the condition that the final approval of the draft plan of subdivision is received. The final approval has been received, as evidenced by the registration of the plan itself. The City has also registered the subdivision agreement and the accompanying easements and conveyances of parkland.

Therefore, I recommend that the one foot reserves described below be lifted by City Council and Council pass a by-law dedicating these one foot reserves as part of Casterton Avenue, Dedrick Drive and Watts Crescent.

1. The one foot reserve at the south end of Casterton Avenue, Reg. Plan No. 1158.
2. The one foot reserve at the south end of Dedrick Drive, Reg. Plan No. 1158.
3. The one foot reserve on the north side of Silver Street, (now Watts Crescent), between the north-east corner of Lot 33 and the south-west corner of Lot 34, Reg. Plan No. 653.

Norman C. Jackson,
City Solicitor

NCJ/ks

Schedule "A" to Report No. 116
(Page 3)

NOV 15 1979

Office of the
City Solicitor
Our Ref. No. L-54

MEMORANDUM

TO: Mr. R.J. Hamilton,
Chief Administrative Officer

FROM: Mr. Norman C. Jackson,
City Solicitor

DATE: November 14, 1979

RE: Bob Martin Construction Ltd.
Development at Queen Mary Road

You will recall that when this development was in an earlier stage that the City negotiated with the Grenville Park Co-Op in order to secure the conveyance of a one foot reserve which abutts this development and runs parallel to Queen Mary Road. The agreement reached was that the one foot reserve running to a point up to and including the entrance to the development would be deeded to the City. The agreement was entered into between the City and the Co-Op and this one foot reserve was conveyed to the City and registered.

The developer has now asked that the one foot reserve which is in the City's name be dedicated as part of Queen Mary Road so that he will not be land locked. Technically, even though this one foot reserve is in the name of the City, it is separate from the road and the public or the developer would have no right to cross it without the permission of the City. It is common in such instances to dedicate the one foot reserve as part of the road. The Grenville Park Co-Op retained the balance of the one foot reserv beyond the 300 feet conveyed to the City, with the City having a right of passage over it in order to have access to and maintain McKibbin Park.

In conclusion, in order to remove the land locked feature of the entrance to the development now being constructed, I recommen that the one foot reserve which was previously conveyed to the City being approximately 300 feet in length abutting this development be dedicated as part of Queen Mary Road and that a by-law be enacted by City Council to dedicate this one foot reserve as part of Queen Mary Road.

Norman C. Jackson,
City Solicitor

NCJ/ks

Schedule "B" to Report No. 116
(Page 1)

OFFICE OF THE FIRE CHIEF

BROCK STREET FIRE STATION
KINGSTON, ONTARIO

November 16, 1979.

TO: Mr. R.J. Hamilton, C.A.O.
FROM: K.A. Cowdy, Fire Chief
SUBJECT: BASE STATION RADIO (Purchase of)

ORIGIN:

During budget deliberations early in 1979 I had indicated that funds realized from the sale of our 1944 Aerial Truck would be used toward the purchase of a new Base Radio Station.

ANALYSIS:

The present Base Radio Station was purchased in 1968 and adapted to the existing Remote Control Unit at the Dispatch Office (1952 Model). In recent years we have experienced several periods of down time, delays in parts replacement, etc. to the point where the service contractor has recommended the replacement as the equipment has become unreliable.

EXISTING POLICY:

The Fire Department is dependant upon adequate Radio Equipment for the Communication Office. Not only for our own use but as well we are the co-ordinating department for the Frontenac, Lennox and Addington Fire Mutual Aid System. The Ontario Fire Marshals Office expects us to operate the F.M.O. Province wide frequency in this area and supply monitor service for same.

ALTERNATIVE:

At this point in time we do not have an alternative as the maintenance contractor is not prepared to renew the present service contract on the unit.

FINANCIAL CONSIDERATION:

In the spring of 1979 three companies were invited to review our present equipment and assess our requirements and submit quotations on new equipment. These quotations were as follows:

Canadian Motorola --	$7,420.
Canadian Marconi --	$7,462.
General Electric --	Did not submit a quote.

These quotes were forwarded to our Purchasing Department for review. I would recommend that, as Motorola's equipment would best suit our needs and is the lowest bid, their tender be accepted.

Authorization for a transfer of $2,500. from 33-42 Maintenance of Auto Equipment to 33-41 Purchase of Equipment is requested.

KA Cowdy

K.A. Cowdy, Fire Chief.

Schedule "B" to Report No. 116
(Page 2)

NOV 22 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Fire Chief K. A. Cowdy.

FROM: Mr. M. J. Ewart, Director of Purchasing.

SUBJECT: Radio Communication Equipment/Base Station.

DATE: November 22, 1979.

I would refer to our several conversations regarding the functional upgrading of your communication equipment. I would feel that the present bid of Canadian Motorola Limited provides an allowance for the existing base station equipment more directly proportional to its current undepreciated value.

It is of further moment that the rated functional characteristics of the equipment are more responsively aligned to the intended broadened application as envisaged by you.

I would, therefore, recommend the acceptance of the quotation as referred.

Yours very truly,

M. J. Ewart,
Director of Purchasing.

MJE/jg

cc: Mr. R. J. Hamilton, C.A.O.

Schedule "B" to Report No. 116
(Page 3)

NOV 22 1979

CORPORATION OF THE

CITY OF KINGSTON

OFFICE OF THE FIRE CHIEF

BROCK STREET FIRE STATION
KINGSTON, ONTARIO

November 22, 1979.

TO: Mr. R.J. Hamilton & Members of Council
FROM: K.A. Cowdy, Fire Chief
SUBJECT: Purchase of Base Radio Station

Following submission of price confirmations from Canadian Motorola and Canadian Marconi for supply, installation and tax on a base radio station. A communication from Mr. Smiles of Marconi was received today pointing out that a portion of their equipment quotation was for design change and therefore not subject to a provincial tax. This is a reduction of $101. from his total price. Therefore, Marconi would be the lowest bid by $59.

Having been involved with both companies as to our requirement, it is my view that the Motorola proposal would best suit our needs.

On this basis I would recommend that the tender of Canadian Motorola be accepted as the lowest acceptable bid.

I will attend Council Meeting #47 to answer questions from Members of Council.

K.A. Cowdy

K.A. Cowdy, Fire Chief.

KAC/bd

cc Mr. M.J. Ewart

Schedule "C" to Report No. 116
(Page 1)

Memo to Mr. R.J.Hamilton, Chief Administrative Officer

Date November 22, 1979

Subject KIMCO Agreement - Relocation of Operations from Rideau St to Counter St

Origin KIMCO have requested the City to consider an amendment to the agreement as regards the clause covering installation of a culvert in the watercourse to provide access to the C.N. property to the east.

Analysis In 1974 KIMCO and the City entered into an agreement, By-law No. 8035, and dated May 22, 1974, covering the conditions relating to the relocation of KIMCO's operations from Rideau St to Counter St. The relevant clause to this report is Clause 9 -

Clause 9 of this agreement reads -

"At such time as the Developers have ceased operations on Rideau Street and commenced full scale operations on Counter Street, or at such later time as the Developers may specify, but not to exceed two years, the City will provide and build a 60-foot rail and vehicular access over the relocated drainage route complete with culvert to give the Developers access from their lands to the C.N.R. rail spur at the City's sole expense which is estimated at $6,700.00. The City will be responsible for any cost thereof over and above such estimated sum."

The City Solicitor reports that on the basis that the two year period has expired, it would be a requirement for the City to provide the access at this point in time.

When the relocation was under consideration Alcan was actively involved in planning an industrial subdivision on the Counter St frontage of their property. The Public Works Department were preparing preliminary plans to make sanitary sewers available to both Alcan and KIMCO. KIMCO installed a sewage holding tank as an interim measure.

An outlet sewer that would run from Counter St to Lappan's Lane sewer and parallel the drainage ditch between KIMCO and the C.N. Team Track is included in the 1979 Capital Budget. This would be constructed under the Municipal Act with the benefitting owners being assessed their share when they make use of it.

A section of Local Improvement sanitary sewer is proposed for Counter St. Provision of debenture allotment for General Rate sanitary sewers in the 1979 Capital Budget would provide most of the funding.

Schedule "C" to Report No. 116
(Page 2)

Although the Alcan Industrial Park is dormant at the moment Alcan will support these projects. It would be possible to initiate them in December.

KIMCO have asked that the agreement be amended so that the City apply a credit to KIMCO's sewer costs rather than install the culvert. KIMCO's estimated sewer cost is $17,000.00

Financial The cost to install a 60 ft. culvert to C.N.'s specifications in 1980 is estimated to be $11,000.00. The estimate of $6,700.00 in the agreement assumed a corrugated steel pipe culvert could be used (C.N. require concrete pipe according to recent letter). It would cost $8,500.00 to install a corrugated steel pipe in 1980. KIMCO would accept a credit of $9,750.00(splitting the difference). The City Solicitor states that it would be in the City's best interest to accept KIMCO's offer.

Alternatives There appears to be two alternatives.

1. Install the culvert in 1980 at a cost of approximately $11,000.00.

2. Commute $9,750.00 in Local Improvement assessment for Counter St sanitary sewer.

The latter alternative is better because the City's share is firm and lower than is anticipated for the other alternative.

Recommendation That Clause 9 of By-law No.8035, an agreement with KIMCO, be deleted and the following be substituted -

Subject to a sanitary sewer in Counter St from the outlet to the KIMCO connection and the outlet sanitary sewer from Counter St to Lappan's Lane receiving the approval of the Ontario Municipal Board, the City agrees to commute the portion of the assessment for the sanitary sewer in Counter St that has a cost of $9,750.00 and in the event approvals are not obtained, the City agrees to construct a 60 ft. concrete culvert as specified by the C.N. to provide access over the relocated drainage route in 1980, the 1980 budget to provide for the applicable alternative.

/gg

D. Graham, P.Eng
Commissioner of Works

Schedule "D" to Report No. 116
(Page 1)

NOV 21 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: November 19th, 1979

SUBJECT Tender No. 79-44
General Ancillary Services

ORIGIN The Purchasing Department have called this tender to fill a need of the Public Works Department.

ANALYSIS Minor incidents occur on the streets after normal working hours which require attention.

Some examples of these incidents are as follows:

- -Glass Following an accident needs to be cleaned up
- -A dog has been killed and should be removed from the roadway
- -A catchbasin cover has been removed and a barricade is necessary.

J&J Towing Services presently holdsthe contract.

EXISTING POLICY The lowest tender is accepted unless there is justification for doing otherwise.

Only one tender was received although the advertisement appeared in the paper three times and eleven tenders were mailed to firms that might be interested.

FINANCIAL Although the price is higher than in 1978 or 1979 it is still an economical way of providing an emergency after-hour service. The Director of Purchasing has recommended for consideration the acceptance of the single tender received. (See Schedule "A")

RECOMMENDATION That the tender of J&J Towing Services for General Ancillary Services as set out in the tender, in the amount of $10.00 per call be accepted being the only tender received to take effect from December 1st, 1979 for a period of one year, the service for the previous twelve months by the tenderer having being satisfactory.

D. Graham, P. Eng.
Commissioner of Works

DG/jc

Schedule "D" to Report No. 116
(Page 2)

SCHEDULE "A"

NOV 19 1979

CORPORATION OF THE
CITY OF KINGSTON

OFFICE OF THE
Director of Purchasing.

CITY HALL
KINGSTON, ONTARIO
K7L 2Z3
(613) 546-4291

MEMORANDUM

TO: Mr. D. Graham, Commissioner of Works.

FROM: Mr. M. J. Ewart, Director of Purchasing.

SUBJECT: General Ancillary Services/Tender No. 79-44.

DATE: November 16, 1979.

One bid only, as setout hereunder, was received in response to the subject invitation for the provision of general maintenance ancillary services:

J. & J. TOWING SERVICES - $10.00 PER CALL

Whilst the tendered fee is twice the current price being charged by the firm in mention, it would appear that the current fee is abnormally low in relation to the fees for previous years as setout hereunder:

1977 - $14.85 per call
1978 - $7.00 per call
1979 - $5.00 per call

I would recommend for consideration that the single tender of J. & J. TOWING SERVICES be accepted, it being of moment that the firm has performed the service satisfactorily for a period of twelve months, and that the price quoted is consistent with the fee profile as setout.

Yours very truly,

M. J. Ewart,
Director of Purchasing.

MJE/jg

Schedule "E" to Report No. 116
(Page 1)

NOV 2 1 1979

Memo to - Mr. R.J.Hamilton, Chief Administrative Officer

Date November 21, 1979

Subject	Mobile Asphalt Recycler
Origin	At an earlier meeting of Council Public Works was asked that as part of the considerations in the 1980 Current Budget the above mentioned piece of equipment be included.
Analysis	This equipment is most useful in the spring. As part of the 1980 Current Budget it would not be available for next spring. Consideration should be given to a purchase now. A report from the Deputy City Engineer is attached as Schedule "A". It would be advantageous to use this machine throughout the year for small patching jobs.
Existing Policy	To purchase new equipment with funds provided in the Current Budget. Replacement equipment is financed from the Reserve for Equipment Relacement.
Financial	Projecting expenditures to the end of the year and assuming winter control requirements will be about the same as last year the indicated surplus is about $175,000.00 between the Yard Budget and the Sewer System Budget.
Recommendation	That the purchase of a Bomag Asphalt Recycler be authorized as a charge against the 1979 Current Budget to improve the efficiency of our cold weather pavement patching program, and that a transfer of $12,000.00 be approved from the Permanent Pavement account to Account 314-82 (New Equipment).

D.Graham, P.Eng
Commissioner of Works

DG/gg
Att. 1

Schedule "A"

MEMORANDUM

TO: D. Graham
Commissioner of Works

DATE: November 15th, 1979

RE: Mobile Asphalt Recycler

About a year ago we witnessed a demonstration of the Bomag Asphalt Recycler, which is a trailer mounted machine capable of producing rejuvenated hot mix from excavated asphalt in small quantities for cold weather patching. Since then the machine has been modified and although it is rather costly at about $11,800, it would prove its worth as we would be able to hot patch potholes with it instead of using cold mix material which so often disappears out of the patched hole and thus requires two or more calls to the same pothole. Furthermore the recycler uses mainly excavated material which now goes to waste.

The time of the year when this machine is most needed is in March and early April during the spring break-up. This means, that if we follow the usual way of providing for this expenditure in the budget we will not be able to use it in 1980, even if it would be approved. It seems that our current budget will end up with enough surplus in the paved roads account to pay for this machine this year.

Our reasons for recommending its purchase are:

1- That the hot patching it can do will be far superior to the cold patching work we are now doing,

2- Hot patches will usually stay in place, whilst cold patches often do not,

3- Larger cold mix repairs now need to be broken out in summer and replaced by hot mix. This double work could be avoided.

4- We spent $11,250 for the purchase of cold mix this year. The machine would use mainly recycled material so that the annual saving in material purchase might well be of the order of $6,000±.

5- M.T.C. Kingston office has obtained one recycler with the approval of M.T.C. Toronto. Their machine has proved so successful that their Ottawa District has applied to buy one and has asked to borrow the Kingston machine in the meantime. Apparently 15 year old asphalt has been used quite successfully without an asphlt additive.

G. de Lugt, P. Eng.
Deputy City Engineer

GL/jc

Schedule "F" to Report No. 116
(Page 1)

NOV 21 1979

MEMORANDUM

TO: Mr. R. J. Hamilton
Chief Administrative Officer

DATE: November 19th, 1979

SUBJECT Construct storm sewer in Johnson Street from Wellington Street to easterly 282.59 m. (Lake Ontario).

ORIGIN A sufficiently signed petition has been received for undertaking the work which was a project in the Capital Budget.

ANALYSIS The old stone box sewer in Johnson Street is in very poor condition and had caved in a few times in the past. It is not only costly to maintain but also hazardous to the traffic.

FINANCIAL There is $100,000 allocation in the 1979 Capital Budget; additional funds are required.

RECOMMENDATION That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of storm sewers in Johnson Street from Wellington STreet easterly 282.59 m under the provisionss of Section 7 of the Local Improvement Act.

Total Cost	$253,000.00
Owners' share	$ 4,540.45
M.T.C. Subsidy	$ 75,042.00
City' Share	$173,417.55
Debenture	$177,958.00

and that the following transfer in the 1979 Capital Budget be approved;

	INCREASE	DECREASE
Local Improvement Storm sewers Johnson Street	$77,958	
Local Improvement Roads Miscellaneous		$ 6,958
General Rate Roads Street "X"		$49,750
Local Improvement Storm sewers Ontario Street		$21,250

D. Graham, P. Eng.
Commissioner of Works

PL/jc

Schedule "G" to Report No. 116
(Page 1)

NOV 21 1979

MEMORANDUM

TO: Mr. R. J. Hamilton,
Chief Administrative Officer

DATE: November 20th, 1979.

SUBJECT Construction of Sanitary sewer in Street "X" from Street "Y" southerly 62.42 meters with service.

ORIGIN A sufficiently signed petition has been received for the above mentioned work.

ANALYSIS The land at the northeast corner of Street "X" and Counter Street known as McAdoo's Industrial Park is using a holding tank for sanitary wastes. This work would service the McAdoo property and could be extended to service the City's Clyde Farm industrial land on Counter Street. The proposed sewer in Street "Y" and Street "Z" would provide an adequate outlet.

FINANCIAL There is no allotment in 1979 Capital Budget. Transfer of funds is necessary.

RECOMMENDATION That, since a sufficiently signed petition has been received, a by-law be passed to authorize the construction of a sanitary sewer in Street "X" from Street "Y" southerly 62.42 meters with service under provisions of Section 7 of the Local Improvement Act.

Estimated total cost	$9,500
Owner's share	$5,000
City's share	$4,500
Debenture Amount	$9,500

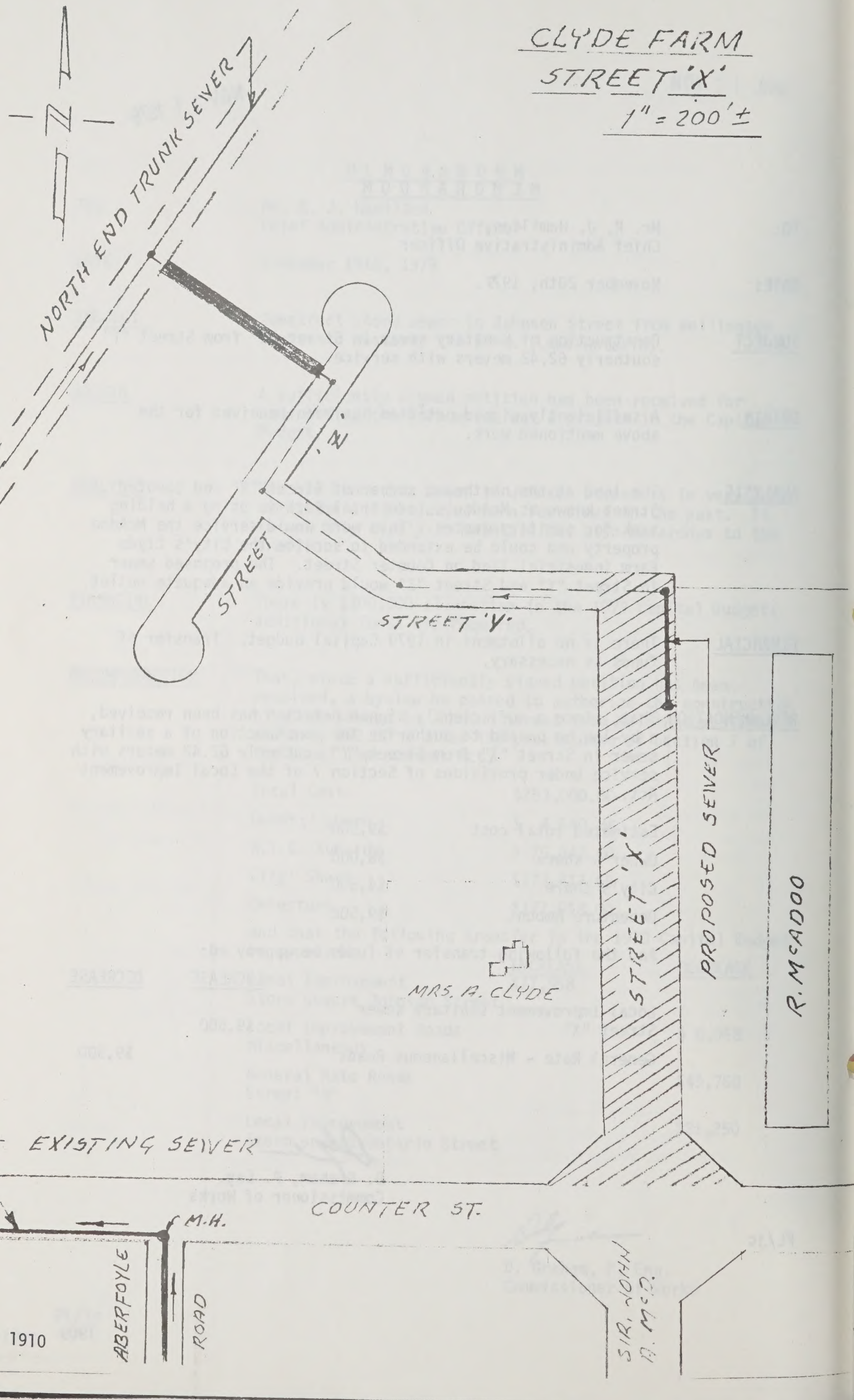
And the following transfer of funds be approv ed:

	INCREASE	DECREASE
Local Improvement sanitary sewer Street "X"	$9,500	
General Rate - Miscellaneous Roads		$9,500

D. Graham, P. Eng.
Commissioner of Works

PL/jc

Schedule "G" to Report No. 116
(Page 2)


CLYDE FARM
STREET 'X'
1" = 200' ±
N
NORTH END TRUNK SEWER
N
STREET 'Z'
STREET 'Y'
STREET 'X'
PROPOSED SEWER
R. McADOO
MRS. A. CLYDE
EXISTING SEWER
COUNTER ST.
M.H.
ABERFOYLE
ROAD
SIR JOHN A. McD.

REPORT OF THE COMMITTEE OF THE WHOLE

(C) Moved by Ald. Lampropoulos,
Seconded by Ald. Matthews,

That the Report of the Committee of the Whole be adopted, approved and confirmed.

CARRIED

MOTIONS

NOTICES OF MOTION

(1) Moved by Ald. Timmins,
Seconded by Ald. Hawkins,

WHEREAS Homestead Land Holdings Limited has applied to the City of Kingston to redesignate its property commonly known as "Block S, Calvin Park", being a 9.6 acre parcel at the southeast corner of Bath Road and Portsmouth Avenue, from medium density to high density;

AND WHEREAS City Council at its meeting of September 7, 1979 in Clause 1 of Report No. 93 refused to change the City's zoning by-law which is presently medium density for this property;

AND WHEREAS Homestead Land Holdings Limited has appealed this decision of City Council to the Ontario Municipal Board;

AND WHEREAS The Planning Act permits the Ontario Municipal Board to deal with the appropriateness of both the zoning by-law and the Official Plan designation at the same hearing;

AND WHEREAS it remains the concern of certain citizens of the area in question that the lands not be rezoned to high density and that the Official Plan designation be amended so as to designate the property in question as medium density;

AND WHEREAS certain citizens of the area are concerned that when the existing Official Plan designation was passed by City Council there was not sufficient public consultation;

NOW THEREFORE BE IT RESOLVED that the City of Kingston Planning Board be requested to have this area, known as "Block S, Calvin Park", studied with a view to determining the appropriateness of the Official Plan designation as high density. The study of the area should include concerns of the citizens with respect to traffic, existing streets, existing services, schools, and the effect of such a high density on the surrounding land uses.

AND BE IT FURTHER RESOLVED that the City of Kingston Planning Board hold a public meeting with citizens of this planning area to obtain the views of the citizens with respect to the appropriateness of the high density designation in the City's Official Plan in respect of this property.

NOTICES OF MOTION (Cont'd)

(1) (Cont'd)

AND BE IT FURTHER RESOLVED that while this area, known as "Block S, Calvin Park", may be involved in a study of high density commissioned by the Planning Board covering several other areas as well, that this particular area, "Block S, Calvin Park", receive sufficient priority to enable the completion of the study and public meetings prior to the anticipated Ontario Municipal Board hearing with respect to the zoning of this property so that Council would have sufficient time to ask that the Minister of Housing refer any Official Plan Amendment passed by City Council to the same Ontario Municipal Board hearing where the zoning by-law is being appealed by Homestead Land Holdings Limited, should the reference be deemed necessary.

REFERRED TO THE CITY OF KINGSTON PLANNING BOARD

(2) Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

WHEREAS City Council passed a resolution in Clause 6 of Report No. 115 at its meeting of November 19, 1979, resolving that applications to spot zone properties at 93 Counter Street and 149 Counter Street should be permitted in order to allow for future expansion;

AND WHEREAS the properties at 41-45 Counter Street were also the subject of the same resolution but since these properties were recognized to be only slightly in excess of the limit of 25% for retail space that applications to the Committee of Adjustment were authorized in lieu of spot zoning;

AND WHEREAS while the Committee of Adjustment could have jurisdiction to deal with these matters, it would be in the best interest of all concerned to deal with all offending businesses in the same way and to recognize their use clearly in the proposed zoning by-law;

AND WHEREAS the zoning by-law which was passed by City Council had been objected to;

AND WHEREAS the objections have been referred to the Ontario Municipal Board;

AND WHEREAS the City is presently awaiting a hearing date from the Ontario Municipal Board;

NOW THEREFORE BE IT RESOLVED that the four properties mentioned in Clause 6 of Report No. 115 all be dealt with as amendments to the pending by-law and be recognized as permitted uses in the same way as Council authorized the spot zoning of the properties located at 93 Counter Street and 149 Counter Street.

AND BE IT FURTHER RESOLVED that an amending by-law be passed which will provide for the existing use of the four properties, 41-45 Counter Street, 93 Counter Street and 149 Counter Street to maintain their existing retail space.

REFERRED TO THE CITY OF KINGSTON PLANNING BOARD

BYLAWS

Council consented to present By-Law No. 4 for only Two Readings instead of Three Readings as indicated on the Agenda.

(A) Moved by Ald. Matthews,
Seconded by Ald. McArthur,

That By-Law Nos. 1 to 5 be given their First & Second Readings.

CARRIED

(B) Moved by Ald. McArthur,
Seconded by Ald. Miller,

That Rule No. 35 of By-Law No. 1 be suspended for the Purpose of Giving By-Law No. 5 its Third Reading.

CARRIED 13:2
Ald. Clements and Ald. Knapp opposed

(C) Moved by Ald. Miller,
Seconded by Ald. Tarnowecky,

That By-Law Nos. 5 & 6 be given their Third Reading.

CARRIED

* * *

(1) A By-Law to Dedicate Certain One Foot Reserves as Portions of Casterton Avenue, Dedrick Drive, Watts Crescent and Queen Mary Road.

FIRST & SECOND READINGS Proposed No. 79-269
Clause 1, Report No. 116, 1979

(2) A By-Law to Authorize the Construction of Storm Sewers in (1) Johnson Street from Wellington Street easterly 282.59 m and (2) Clarence Street, crossing Ontario Street Intersection, with Sanitary Sewer, Laterals, Connections and Manholes as City's Share, under the Provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST & SECOND READINGS Proposed No. 79-270
Clause 8, Report No. 116, 1979

(3) A By-Law to Authorize the Construction of a Sanitary Sewer, with Service, in Street "X" from Street "Y" Southerly 62.42 m under the Provisions of Section 7 of *The Local Improvement Act* (Petition).

FIRST & SECOND READINGS Proposed No. 79-271
Clause 9, Report No. 116, 1979

(4) A By-Law to Amend "By-Law No. 1, 1979, A By-Law to Regulate Council Procedures" (Cancellation of Council Meetings by Mayor when Insufficient Business to be Considered and Meetings with Department Heads).

FIRST & SECOND READINGS Proposed No. 79-272
Clauses 7(a) and 8, Report No. 115, 1979

(5) A By-Law to Confirm the Proceedings of Council held at its Meeting held on November 26, 1979.

THREE READINGS Proposed No. 79-273
City Council Meeting No. 47, 1979

BYLAWS (Cont'd)

(6) A By-Law to Amend By-Law No. 8499, "Restricted Area (Zoning) By-Law of The Corporation of The City of Kingston" (Rezone Properties Located at 257-259 Queen Street, 73-75 Bay Street, 442 Bagot Street, 424 Bagot Street, 212 Montreal Street, 68-70 Raglan Road, 61-63 John Street, 330 Division Street Re: Neighbourhood Stores).

THIRD READING
Clause 6, Report No. 113, 1979 Proposed No. 79-263

(NOTE: Third Reading is given to By-Law No. 76-263 on the understanding that, as recommended by the City Solicitor, the City Clerk is directed to give Notice pursuant to Ontario Regulation 597/79)

UNFINISHED BUSINESS

Mayor Keyes advised that the City of Boucherville planned to hold commemmoration ceremonies on December 8th, 1979 to celebrate its founding, and invited representatives to attend from the City of Kingston. He said that Mr. Rose of the Intercity Exchange Commtitee planned to attend also.

Mayor Keyes said that a meeting was planned for Tuesday, November 27th at 4:15 p.m. with Council members and Department Heads, to discuss the Chartwood and Minto redevelopment proposals

Mayor Keyes said that a Provincial Government representative would be present at the public meeting on November 27th at 7:15 p.m. regarding the redevelopment proposals, and would be pleased to answer any queries from the public and council members.

Alderman Miller said that she understood that the Conversation Authority had deferred its decision with respect to issuance of a fill permit on the property adjacent to the Little Cataraqui River, subject to an environmental impact assessment being done. She expressed concern that an assessment done in the winter months could not observe animal life and other environmental concerns which could be observed during warmer months.

Mayor Keyes said that an environmental impact study was to be prepared within 90 days by the same firm which had been engaged by the Conservation Authority for other work, and that the decision had been made by the Conservation Authority.

Alderman Miller said that she felt that the technical staff had not had sufficient input to the development control of Block "A" of the Marina City property. A large tree on City property was about to be removed without the knowledge of the Parks Department who, when notified at the last minute, had saved the tree, although it had suffered some damage. Alderman Miller said that the Parks Department had indicated that more excavation was being done than had been anticipated, and that Building Inspection Department advised that damage had occurred to adjacent property owned by the Ontario Heritage Foundation. She asked that it be ensured that appropriate development control procedures be followed on this property.

Alderman McArthur said that special care should have been taken to ensure that all the downtown merchants were aware of the downtown revitalization program and that special invitations should have been extended to attend meetings on the matter.

UNFINISHED BUSINESS (Cont'd)

Alderman Lampropoulos said that a very significant report had been submitted by the Traffic and Streets Administrator with respect to the downtown redevelopment, which indicated that, with the free parking spaces provided by the proposed redevelopment, the cost of the redevelopment to the City would be minimal.

Alderman Clements said that nothing is free, and increased vehicle trips to the downtown area would cause greater traffic congestion on Brock and Johnson Streets, which would cause other problems.

Alderman Clements said he was very concerned with the rising incidence of assaults, mostly purse-snatchings on older women, and break-ins in the City. He commented on the length of time the police took to respond to some complaints; for example, illegal parking and noise complaints.

Alderman Gorham said that he had recently noticed that the southeast exit door of the Grand Theatre entered into a narrow laneway without lighting, and recommended that lighting be installed as a safety precaution.

Alderman Gerretsen said that he was concerned about the negative response from the media, council members and others with respect to the proposed downtown redevelopment. He said that, to his knowledge, all meetings on the subject have been open to the public and anyone could attend. He asked if some financial details would be available at the meeting on November 27th.

Mr. Hamilton said that the Provincial Government representatives who would attend the public meeting is familiar with downtown redevelopments and could provide financial guidelines. As well, a general report would be submitted shortly.

Alderman Webb asked about the prospect of a Better Business Bureau for the Kingston area.

Mayor Keyes said that the cost of establishing a Better Business Bureau was prohibitive at this time, but he understood that a consumer information service was to be established.

Alderman Webb said that the previous consumer assistance group had had Box 99 in Ottawa to rely on, which would no longer be possible. He said that a consumer information service would be a bandaid treatment for a very real problem in the community.

Alderman Webb said that, although it had been indicated earlier that all the downtown merchants were in favour of the downtown redevelopment, it now appeared that the greater majority of them were against it. Kingston is surrounded on three sides by water and bridges, and the cost of the traffic pattern to accommodate the downtown redevelopment would be in the millions of dollars. He recommended that consideration of the downtown redevelopment be deferred to April 1980.

Alderman Hawkins withdrew at 9:55 p.m.

Alderman Timmins said it was most important to keep everyone informed on this most major issue of downtown redevelopment, and that he felt it was quite in order to speak up on the matter.

Alderman Knapp said that it seemed that, as the downtown redevelopment matter progressed, people became less inclined to rely on facts and figures to make a realistic assessment of proposals and issues, and said that valuable time was being lost in useless discussion.

UNFINISHED BUSINESS (Cont'd)

Alderman Gorham advised that the meeting of the Community Centre Board on November 27th had been postponed because of the public meeting on the same date.

In response to Alderman Knapp's comments, Alderman Matthews said that none of the aldermen knows much about the redevelopment proposals at this time, therefore, it is incumbent on no one to criticize anyone else for questioning the proposals.

In response to Alderman Clement's comment about police response to complaints, Alderman Matthews said that it may well be that the police could have other more important calls to respond to and may have to set priorities on urgency of response.

Mayor Keyes said that since this was the final meeting of this Council for the year, he wished to express his appreciation to the members of Council for their work and co-operation during the year. He said he appreciated this first year's support during his second term of office, and that the upcoming year will present challenging issues.

ADJOURNMENT

Moved by Ald. Hawkins,
Seconded by Ald. Gorham,

That Council do now adjourn.

CARRIED

Council adjourned at 10:10 p.m.

(L.S.)

(Signed) *M.C. Healy*
City Clerk

(Signed) *Ken Keyes*
Mayor

3 9004 02686775 1

Date Due

MAY 12 1987